

## NEBRASKA.

Frank Cox to be postmaster at Sutherland, Nebr., in place of Castillo M. Reynolds, resigned.

## NEW HAMPSHIRE.

David V. Cahalane to be postmaster at Charlestown, N. H., in place of Fred H. Perry, resigned.

## NORTH DAKOTA.

John Galyen to be postmaster at Belfield, N. Dak., in place of Roswell C. Davis, resigned.

Arthur L. Menard to be postmaster at Wilton, N. Dak., in place of Merton W. Woodworth, resigned.

## OHIO.

John Q. Baker to be postmaster at Middletown, Ohio, in place of Edmund L. McCallay, resigned.

John C. Gorman to be postmaster at Ironton, Ohio, in place of Jeremiah Davidson, removed.

Albert Schnell to be postmaster at Morrow, Ohio, in place of Adolphus D. Haney, resigned.

Charles Warnke to be postmaster at Huron, Ohio, in place of William H. Tyler, deceased.

Elias D. Warren to be postmaster at Fairport Harbor, Ohio, in place of Thomas M. Irwin, deceased.

## OREGON.

Arunah Longwell to be postmaster at Echo, Oreg., in place of E. R. Ware, resigned.

J. A. McMorris to be postmaster at Condon, Oreg., in place of John F. Reisacher, resigned.

Frank S. Myers to be postmaster at Portland, Oreg., in place of Charles B. Merrick, deceased.

## PENNSYLVANIA.

Cornelius Allen to be postmaster at Dubois, Pa., in place of John B. Hess, deceased.

William C. Kreider to be postmaster at Mauch Chunk, Pa., in place of Edwin F. Luckenbach, deceased.

Christian S. Lichteiter to be postmaster at Elk Lick, Pa., in place of Albert B. Lowry, resigned.

## TENNESSEE.

John E. Conner to be postmaster at Chattanooga, Tenn., in place of William S. Raulston, resigned.

Samuel W. McKinney to be postmaster at Etowah, Tenn., in place of John Rains, resigned.

## TEXAS.

Thomas Durham to be postmaster at Wellington, Tex., in place of William B. Kirby, resigned.

Tom H. Hood to be postmaster at Wortham, Tex., in place of George C. Ross, resigned.

B. H. Newton to be postmaster at Midlothian, Tex., in place of John S. McEldowney, removed.

D. A. Paulus to be postmaster at Hallettsville, Tex., in place of William J. Miller, resigned.

J. W. Shaw to be postmaster at San Diego, Tex., in place of Vidal Garcia, resigned.

Ira J. Wright to be postmaster at Mission, Tex., in place of C. W. Frick, resigned.

## VIRGINIA.

P. W. Pugh to be postmaster at Broadway, Va., in place of James M. Williams, removed.

## WEST VIRGINIA.

J. Garland Hurst to be postmaster at Harpers Ferry, W. Va., in place of William L. Erwin, resigned.

## SENATE.

THURSDAY, April 17, 1913.

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

The Journal of the proceedings of Tuesday last was read and approved.

## SENATOR FROM ILLINOIS.

Mr. SHERMAN. Mr. President, the Senator elect from the State of Illinois [Mr. LEWIS], whose credentials have heretofore been presented and filed, is now present and ready to take the oath of office.

The VICE PRESIDENT. The Senator elect will present himself at the desk for the purpose of taking the oath of office.

Mr. LEWIS was escorted to the Vice President's desk by Mr. SHERMAN, and the oath prescribed by law having been administered to him, he took his seat in the Senate.

## COMMITTEE SERVICE.

Mr. LODGE. I offer a resolution placing the Senator from Illinois [Mr. SHERMAN] on sundry minority committees.

The VICE PRESIDENT. The resolution will be read.

The resolution was read, considered by unanimous consent, and agreed to, as follows:

*Resolved*, That Mr. SHERMAN be appointed a member of the Committee on the District of Columbia in place of Mr. LIPPITT, resigned; of the Committee on Canadian Relations in place of Mr. CUMMINS, resigned; of the Committee on Privileges and Elections in place of Mr. OLIVER, resigned; of the Committee on Disposition of Useless Papers in Executive Departments in place of Mr. SMOOT, resigned; of the Committee on Expenditures in the Post Office Department in place of Mr. BAISTOW, resigned; of the Committee on Transportation Routes to the Seaboard in place of Mr. BURTON, resigned; of the Committee on Forest Reservations and Protection of Game in place of Mr. POINDEXTER, resigned.

## POLICEMEN'S AND FIREMEN'S PENSION ROLLS (S. DOC. NO. 10).

The VICE PRESIDENT laid before the Senate a communication from the Commissioners of the District of Columbia, transmitting, in response to a resolution of the 10th instant, certain information relative to the names of all persons borne on the policemen's and firemen's pension rolls of the District, etc., which, on motion of Mr. GALLINGER, was, with the accompanying papers, referred to the Committee on the District of Columbia and ordered to be printed.

## PETITIONS AND MEMORIALS.

The VICE PRESIDENT. The Chair presents a concurrent resolution adopted by the Territorial Legislature of Hawaii, which will be referred to the Committee on Finance and printed in the RECORD.

Mr. CLARK of Wyoming. I understand that that is a memorial of a legislature.

The VICE PRESIDENT. It is a memorial of the Legislature of Hawaii.

Mr. CLARK of Wyoming. It occurs to me that it should be read.

Mr. GALLINGER. Let it be printed in the RECORD.

Mr. CLARK of Wyoming. All right.

The VICE PRESIDENT. The memorial will be read if the Senator from Wyoming desires.

Mr. CLARK of Wyoming. To have it printed in the RECORD is sufficient.

The memorial was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

## Concurrent resolution.

Whereas a special session of the Congress of the United States has been called by the President for the purpose of revising tariff duties; and

Whereas the commercial life of the Territory of Hawaii and almost its entire population is dependent on the sugar industry in said Territory, in which industry there is at present invested more than one hundred and fifty millions of dollars; and

Whereas a material reduction of the tariff duty on sugar will work incalculable harm to the industry, and the abolition of the said duty will actually destroy the same and impoverish the thousands whose savings are invested therein, or whose business or employment is dependent thereon; and

Whereas in the past eight years in addition to the amount derived from taxes, it has been necessary to borrow money upon bonds of the Territory to the amount of \$6,844,000 in order to provide funds for necessary improvements; and

Whereas out of the total annual taxes assessed upon real and personal property and upon incomes the receipts from which for the year 1912 amounted to \$2,702,533.07, the sum of \$1,758,544.39 was paid directly by sugar estates as shown by the returns on file, being 65 per cent of said taxes, and there was paid by the industries directly dependent upon sugar an estimated amount of 20 per cent of the same, making an aggregate of 85 per cent of the entire receipts of the Territory derived from the sources above specified; and

Whereas any substantial tariff change would deprive this Territory of said portion of its revenue, which could not be replaced from other sources, and the Territory would be unable to meet its current necessary expenses: Now, therefore, be it

*Resolved by the House of Representatives of the Territory of Hawaii (the Senate concurring)*, That we do respectfully petition the Congress not to reduce the present duty on sugar; and be it further

*Resolved*, That a copy of this resolution be transmitted to the President of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, and to the Delegate to Congress.

## THE SENATE OF THE TERRITORY OF HAWAII,

Honolulu, Hawaii, March 31, 1913.

We hereby certify that the foregoing concurrent resolution was finally adopted in the Senate of the Territory of Hawaii on March 31, 1913.

ERIC A. KNUDSEN,  
President of the Senate.

JOHN H. WISE,  
Clerk of the Senate.

## HOUSE OF REPRESENTATIVES OF TERRITORY OF HAWAII,

Honolulu, Hawaii, April 1, 1913.

We hereby certify that the foregoing concurrent resolution was finally adopted in the House of Representatives of the Territory of Hawaii on April 1, 1913.

H. L. HOLSTEIN,  
Speaker House of Representatives.  
EDWARD WOODWARD,  
Clerk House of Representatives.

The VICE PRESIDENT presented a joint memorial of the Territorial Legislature of Alaska, which was referred to the Com-

mittee on Territories and ordered to be printed in the RECORD, as follows:

Senate joint memorial 2.

To the President and Congress of the United States:

Be it resolved by the Legislature of Alaska, That the following memorial be sent to the President and Congress, with the request that as early action as possible compatible with public business be taken thereon:

We respectfully represent that by the organic law creating the Territory of Alaska, approved August 24, 1912, in section 3 thereof the Legislature of Alaska is prohibited from in any manner interfering with the laws of the United States "providing for taxes on business and trade."

We further represent that by the same enabling act the Legislature of Alaska is further prohibited in section 9 thereof "to fix and impose any tax or taxes upon railways or railway property in Alaska" for the period of five years from the date of said act.

With the wisdom of the above inhibition the entire people of Alaska, we declare, is in full accord, because the prosperity and further development of Alaska depends upon a wise solution of the problems of transportation.

We further represent that the provisions of "An act making further provisions for a civil government for Alaska," approved June 6, 1900, in section 29 thereof a license tax is imposed by the United States, as follows: "Railroads, \$100 per mile per annum on each mile operated."

We further represent that because of the requirement of the payment of such license or tax a great hardship is imposed on miners and prospectors in various mining districts of the Territory, notably Kougarkok and Solomon River precincts in the Seward Peninsula. During the season of 1912 the license was not paid and the railroads were not operated, except by dogs and mules pulling small tram cars.

We therefore request Congress to remit the license tax of \$100 per mile per annum on all railroads in the Seward Peninsula until August 24, 1917.

Adopted by the senate March 20, 1913.

L. V. RAY,  
President of the Senate.

Concurred in by the house April 2, 1913.

EARNEST B. COLLINS,  
Speaker of the House.

UNITED STATES OF AMERICA, District of Alaska, ss:

I, William L. Distin, secretary of the District of Alaska, do hereby certify that the above and foregoing is a full, true, and correct copy of senate joint memorial 2 of the Alaska Territorial Legislature.

In testimony whereof I have hereunto set my hand and affixed the great seal of Alaska, at Juneau, this 4th day of April, A. D. 1913.

[SEAL.]

WM. L. DISTIN,  
Secretary of Alaska.

Mr. THOMAS presented a joint resolution adopted by the Legislature of Colorado, which was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

Senate joint resolution 22.

To the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the General Assembly of the State of Colorado, would respectfully represent that under and by direction of the Secretary of the Interior the Hon. R. R. Marshall, chief geographer of the department, recently visited Colorado to determine by personal observation whether there should be established in Colorado a national park. That the said Marshall, following the said order, visited Colorado, and after a careful and painstaking examination of the country proposed to be included in said national park, recommended the creation of the same.

That the people of Colorado desire that said park shall be established. It includes the highest mountain peaks in the State; the area is little adapted to either agriculture or grazing; its scenery for sublimity and grandeur is not excelled on the continent. Its location is easy of access to America's millions who seek health and recreation in the summer months. It being situated in the front and main range of the Rocky Mountains.

We therefore urge that you pass an act creating the said Rocky Mountain National Park, adopting the metes and bounds as set forth in the report of said Chief Geographer Marshall to the Secretary of the Interior, and embodying provisions as contained in a bill for an act creating the said park, prepared and introduced in the National House of Representatives for that purpose, and hereby declare the willingness of the State of Colorado, upon the passage of a congressional act establishing said park, to cede jurisdiction in the manner customary in such cases.

And this your memorialists will ever pray.

That the secretary of the senate is hereby instructed to transmit to the Speaker of the House of Representatives, the President of the United States, and to our Senators and Representatives in Congress a copy of this resolution.

STEPHEN R. FITZGERARD,  
President of the Senate.

Attest:

MARK A. SKINNER,  
Secretary of the Senate.

Mr. THOMAS presented resolutions adopted by the Trades and Labor Assembly of Colorado, remonstrating against the tyranny of using State and National troops and the declaring of martial law whenever and wherever working people are on strike for better working conditions, etc., which were referred to the Committee on Education and Labor.

Mr. SMOOT. I present a petition signed by 150 citizens of the Cherokee Nation, praying for the payment of the award made to the heirs of John W. West, deceased. I ask that the petition be referred to the Committee on Indian Affairs, and that the body of the petition, omitting the signatures, be printed in the RECORD.

The petition was referred to the Committee on Indian Affairs, and, there being no objection, the body of the petition was ordered to be printed in the RECORD, as follows:

Petition for the payment of the award made to the heirs of John W. West, deceased.

To the Congress of the United States:

We, the undersigned citizens and members of the Cherokee Nation, respectfully petition the Congress of the United States to authorize the payment, without further delay, of the award made by the commission appointed, pursuant to the seventh article of the treaty of 1846, out of the funds now standing to the credit of the Cherokee Nation in the Treasury of the United States, said award being made May 25, 1883, and approved by the Secretary August 29, 1883, reaffirmed by decision of Secretary Teller September 16, 1884, and again reaffirmed by decision of Secretary Lamar April 26, 1886, together with interest thereon, as provided for in the award since October 30, 1843.

This award was made by Commissioners John Q. Tufts, acting for the United States, and D. W. C. Duncan, a Cherokee citizen, acting for the Cherokee Nation. We believe that the action of our commissioner in approving this award was binding upon the nation, and that the failure of our nation to pay the award is a reproach to the honor of both the Cherokee Nation and the United States. To avoid a continuation of such reproach the payment of said award is by your petitioners demanded.

The United States has dealt fairly and equitably with the Cherokee Nation. On our claim arising in part out of the same treaty, where the principal sum was \$1,111,111, we secured judgment in the Court of Claims, which was affirmed by the Supreme Court of the United States (202 U. S., 101), for more than \$5,000,000. As our nation has been allowed interest on its claims, there is no justification for our refusing to pay interest on this award regularly and duly made, the binding force and effect of which no honest man can question.

Mr. KENYON presented a petition of the Farmers Grain Dealers' Association of Iowa, praying for the creation of a commission to investigate and determine the cost of production and cost of preparation for distribution of the leading cereals, cattle, hogs, and sheep, etc., which was referred to the Committee on Agriculture and Forestry.

Mr. SUTHERLAND. I send to the desk a telegram from Thomas R. Cutler, of Salt Lake City, Utah, with reference to the tariff duty on sugar, which I ask may be printed in the RECORD, without reading, and referred to the Committee on Finance.

There being no objection, the telegram was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

SALT LAKE CITY, UTAH, April 16, 1913.

Senator GEORGE SUTHERLAND,  
Washington, D. C.:

Utah-Idaho Sugar Co., Amalgamated Sugar Co., Lewiston Sugar Co., join in plea for full and complete hearings to be given to every industry by Finance Committee on tariff bill. Late hearings by Democratic Ways and Means Committee were absolutely incomplete. Western interests in sugar, wool, etc., are especially interested. Tariff bill H. R. 10 would cause widespread suffering and, as far as sugar is concerned, would close up our factories and play into the hands of the refiners of foreign sugars.

THOMAS R. CUTLER.

Mr. BRISTOW presented a petition of sundry citizens of Galesburg, Kans., praying for an adjustment of the pay of railway mail clerks on account of the conditions brought about by the parcel-post law, which was referred to the Committee on Post Offices and Post Roads.

Mr. LODGE presented petitions of Mayor John F. Hurley and 46 other citizens of Salem, William H. Lewis and 37 other citizens of Boston, and Elwyn G. Preston and 119 other citizens of Boston, all in the State of Massachusetts, praying for the repeal of the clause in the Panama Canal act exempting American coastwise shipping from the payment of tolls, which were referred to the Committee on Inter-oceanic Canals.

Mr. GOFF presented a memorial of the National Window Glass Workers' Local Union of Weston, W. Va., and a memorial of the National Glass Workers' Local Union of Clarksburg, W. Va., remonstrating against any reduction in the duty on window glass, which were referred to the Committee on Finance.

He also presented memorials of sundry citizens of Quinnimont, Raymond City, Welch, and Winona, all in the State of West Virginia, remonstrating against the enactment of legislation prohibiting any society, fraternal order, or organization from sending through the mails any written or printed matter representing such society, etc., which is already being used as a part of its title or name by any other society or fraternal organization, which were referred to the Committee on the Judiciary.

SPEECH OF MR. JUSTICE HOLMES.

Mr. LODGE. I ask for a reprint of Senate Document 1103. It is a speech by Mr. Justice Holmes, and the print is entirely exhausted. I have many inquiries for copies.

The VICE PRESIDENT. Is there objection to the request of the Senator from Massachusetts?

Mr. WILLIAMS. I do not rise to object, but I should like to know what the document is.



Mr. LODGE. It is a document already printed by the Senate. It is a short speech made by Mr. Justice Holmes last February. The edition is entirely exhausted.

Mr. WILLIAMS. On what subject was the speech?

Mr. LODGE. It was on the general subject of the judiciary, I think.

Mr. WILLIAMS. I have no objection to the order being made.

Mr. LODGE. It has already been printed as a document.

The VICE PRESIDENT. If there is no objection, the order to print will be made.

PANAMA CANAL TOLLS (S. DOC. NO. 11).

Mr. LODGE. I ask to have printed as a Senate document the correspondence between the secretary of state for foreign affairs of Great Britain and our State Department in regard to Panama Canal tolls. It has been published, but never printed as a Senate document, and there is a great demand for copies.

The VICE PRESIDENT. Is there objection to the request of the Senator from Massachusetts? If there is no objection, it will be so ordered.

HEARINGS ON TARIFF BILL.

Mr. TOWNSEND. Mr. President, I have received numerous telegrams and letters in reference to hearings or proposed hearings on the tariff. There are very many people in the United States who feel that they have never been given an opportunity to be heard on the proposed bill, and that they are entitled as a matter of right to a hearing on a question which so vitally affects them.

I rise at this time for the purpose of asking the majority whether it proposes to permit hearings on the tariff bill which is to be considered by the Finance Committee hereafter. I notice that the chairman of the Finance Committee is not present, but other members of that committee are here. I would like to be able to answer my correspondents correctly in reference to a matter which is of such great importance to them. They feel that there must be a misunderstanding of the industrial situation in this country on the part of the Democratic majority and they would like to be heard.

Mr. WILLIAMS. Mr. President, the chairman of the committee, the Senator from North Carolina [Mr. SIMMONS] seems not to be in his seat, nor the senior member, the Senator from Missouri [Mr. STONE]. I am the next ranking member, and I will give an answer to the Senator's question to the best of my ability.

While the committee has never passed a resolution to that effect, I am satisfied that the majority of the committee consider hearings absolutely unnecessary. The Committee on Ways and Means of the House gave very full hearings, and the Finance Committee of the Senate in the last Congress had a long series of hearings. Prior to that, in connection with the Payne-Aldrich bill, the hearings were dragged out at infinite length. The Government Printing Office has printed a multiplicity of stuff in the shape of hearings. I am satisfied that the majority of the committee do not desire to have any hearings. That is my opinion.

Mr. TOWNSEND. Mr. President—

Mr. PENROSE. Will the Senator from Michigan permit me to interrupt him?

Mr. TOWNSEND. I will yield to the Senator from Pennsylvania.

Mr. PENROSE. On behalf of the minority members of the Finance Committee I desire to inform the Senator from Michigan that they intend to make a very vigorous request that the majority shall grant hearings. Of course, there is no tariff bill before the Senate at the present time, but when the measure comes over here the Republican members of the Finance Committee will, as far as I know, be unanimous in requesting hearings in compliance with the thousands of requests which we are all in receipt of every day from manufacturers and persons interested in the tariff that such hearings be granted.

Mr. O'GORMAN. Mr. President—

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from New York?

Mr. TOWNSEND. I will yield.

Mr. O'GORMAN. I simply desire to ask a question of the Senator from Pennsylvania. Is he speaking also for the Members of the Progressive Party who are upon the Finance Committee?

Mr. PENROSE. I am speaking for the Republicans or the minority members of the Finance Committee. I can not say that I speak for everyone, for I have not had an opportunity to confer with all of them; but I have talked with most of them within the last two or three days.

Mr. WILLIAMS. Mr. President—

The VICE PRESIDENT. The Senator from Michigan has the floor.

Mr. TOWNSEND. I yield to the Senator from Mississippi.

Mr. WILLIAMS. I merely wanted to add to what I have already said that, speaking for myself and I think for others, it seems best for the country that such tariff legislation as shall be enacted shall be enacted as speedily as possible, and we should not engage in the consideration and hearing of Tom, Dick, and Harry who apply to be heard before the committee. The business of the country is to a certain extent being held up, the importations are being affected and to some extent suspended, and it brings around, as things of that sort always do, a considerable degree of uncertainty in the minds of those who want to purchase goods. The country has heard from every man who wanted to be heard. During the last three or four years Congress has been having more tariff hearing than upon any other sort of business.

It has seemed to us that—

If it were done, \* \* \* then 't were well  
It were done quickly.

Mr. GALLINGER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Michigan yield to the Senator from New Hampshire?

Mr. TOWNSEND. I yield to the Senator from New Hampshire.

Mr. GALLINGER. Mr. President, I rise to make a suggestion to the Senator from Mississippi [Mr. WILLIAMS]. Representatives of almost every industry in my State—and they are very numerous—have written to me urgently requesting that they shall be given an opportunity to be heard in reference to the pending tariff bill. They are men of substance, of standing, of integrity; and I suggest to the Senator from Mississippi that it was rather unfortunate that he should have referred to them as Tom, Dick, and Harry.

Mr. WILLIAMS. Why, Mr. President, these gentlemen may be all that; but if we open the doors to hearings generally, not only they, but Tom, Dick, and Harry can also knock and be admitted.

Mr. GALLINGER. The Senator is wrong about that. The committee can restrict the number who shall be heard representing each industry, but they surely ought to be given some opportunity to present their case.

Mr. WILLIAMS. I have never known the committee to refuse to hear everybody who came.

Mr. GALLINGER. I have known it to be done.

Mr. WILLIAMS. I will ask the Senator from New Hampshire this question: What proportion of these people who want to be heard have already been heard?

Mr. GALLINGER. They may have been heard on some other bill, possibly; but I do not recall the fact that there has been any hearing on this particular bill on the part of the Ways and Means Committee of the other House.

Mr. WILLIAMS. Has there been any change in the industrial condition of the country that would make the facts they testified to formerly untrue now?

Mr. GALLINGER. There certainly has been a change in the rates named in this bill as compared with the rates in other bills; there are very serious changes.

Mr. WILLIAMS. Are not these rates, taken upon the whole, pretty much the rates that were sent to the Senate last year by the other House and considered then, after very full hearings?

Mr. GALLINGER. I confess that I have been unable to discover that to be a fact. Industries are threatened with extinction in this bill that were reasonably protected in the other bill. The other bill was bad enough, but this bill is infinitely worse.

Mr. WILLIAMS. There have been some changes, especially with regard to wool, sugar, and some other few things; but upon the whole, I take it, the Senator from New Hampshire will agree with me that the bills are about the same.

Mr. GALLINGER. Mr. President, I do not care to engage in a tariff discussion this morning; we will have opportunity for that in the future; but I do want to say that I think the country will be interested to learn the attitude of the majority and minority members of the Finance Committee of the Senate in reference to this question. The manufacturers and the farmers of the country want to be heard on this bill. Of course, if the majority sees fit to exclude them from a hearing, the minority is powerless, and as one member of the minority I am willing that that matter shall go to the country precisely as has been suggested by the Senator from Mississippi, leaving the responsibility for refusing hearings upon the Democratic majority.

Mr. WILLIAMS. Mr. President, it is not a question of refusing to hear the manufacturers and farmers of the country. The position which I take is that we have heard them; that during



the last session of Congress, both with regard to the tariff bills which were then sent here from the other House and with regard to the Canadian reciprocity bill, so called, there were very extensive hearings; all those matters were gone into; and every interest in the country that desired to do so sent men here to be heard. Those men were heard, and what they said is in print. If there has been no change in the industrial condition of the country, what they said in the nature of facts—and it was only the communication of facts that would have any weight with the committee—the facts could not have changed in the meantime. If they testified to the truth then, what they have testified to as printed is still the truth. There has been no change in the industrial condition of the country to make a change in the testimony necessary.

Mr. GALLINGER. It might be shown, Mr. President, on another hearing that there has been a serious change; that importations from foreign countries under the existing law have greatly increased in certain lines of industry, and hence that further reductions in duties should not be made.

Again, the Senator from Mississippi alludes to the reciprocity matter. Why, Mr. President, we had some reciprocity offered to this country in the bill of the last Congress, but we have not any reciprocity at all in this bill. It is coolly proposed to give away everything to Canada in this bill; we are getting nothing whatever in return. So that question presents a new aspect, and it would be well for us to hear some of the farmers of this country in reference to that feature of the so-called Underwood bill. There have been material changes, both as regards the manufacturing industry and the agricultural industry, and these men ought to have some opportunity to present their views. To deny them that right does not commend itself to the Republican members of the Finance Committee.

Mr. WILLIAMS. I hope, Mr. President, that in saying what I have said the Senate will understand that I have been speaking for myself and merely giving my judgment as to what will be the action of the majority; but I think myself justified in drawing that inference and coming to that conclusion from private conversations with members of the majority. There has been no organized action either on the part of the committee or by the members of the majority.

Mr. TOWNSEND. Mr. President, I should like to say a few words before yielding the floor further. I said, to begin with, that I had received hundreds—perhaps they amount to thousands—of petitions in the form of letters and telegrams from business men who are interested in the prosperity and the continued prosperity of this country. They have felt that they have never had an opportunity to be heard on the questions peculiarly involved in the pending tariff bill.

If I understand the attitude of the Democratic Party correctly, not only as demonstrated by the bill that is now pending before the other House, but also from the late message to Congress by the President of the United States, there is no proposition to maintain even "a tariff for revenue only." The clear idea is to go to a free-trade basis in this country, either now or in the immediate future. The country so understands it. No such proposition has been pending before Congress since the Civil War. The President does not attempt to hide his free-trade purpose. The Senator from Mississippi feels that if this deed is to be done it is perhaps well to do it quickly and to do it in the dark. But is haste the principal thing to be considered in tariff making? Is it not important to consider the nature of the bill itself and how it will affect industries which are vital to the prosperity and happiness of the people? Can the Finance Committee have too much information on a matter so greatly important? Will publicity embarrass them in their work?

I am not in favor of delaying a consideration and determination of the tariff; I realize that the Democratic Party are charged with the responsibility of legislation; but while I am perfectly willing that they should assume that responsibility in almost any way that they shall see fit, yet I feel that I am not fulfilling my duty to my constituents unless I ask the Democratic majority to at least give a fair consideration to the needs of the people of the State of Michigan. I do not believe that the men who are petitioning the Congress are actuated entirely by selfish purposes. I believe they feel that the proposed action is going to be their undoing, and I agree with them on that. I hope I am mistaken, but I think that the least that the majority can do in this case is to give hearings to the men who are deeply interested in these schedules.

It is not true, Mr. President, that this bill is a copy of the old bill. It is not true that the same principles are involved in it as were involved in its predecessors. It seems to me that even Senators on the other side who are actuated by a patriotic desire to serve their country ought at least to be willing and anxious to obtain all the facts which are possible to be obtained.

Mr. WILLIAMS. Mr. President, I should like to ask the Senator from Michigan a question. I take it that the Senator from Michigan does not deny that upon this identical bill the Ways and Means Committee of the other House has given abundant hearings—

Mr. TOWNSEND. I do deny that, Mr. President.

Mr. WILLIAMS. That those hearings have been published, and that these very people from the Senator's State were before the committee, and were heard for the most part.

Mr. TOWNSEND. That is not my understanding.

Mr. WILLIAMS. What is the use of printing their testimony twice?

Mr. TOWNSEND. It is not my understanding, Mr. President, that there were full hearings had before the Ways and Means Committee of the other House. I know there were men in this city from the State of Michigan who came down here with the purpose and desire to be heard by the Ways and Means Committee, and they were told that the time was limited; that they could not be heard; and they were restricted in some cases to 15 minutes in which to present their propositions on this great subject. Many who came here could not be heard at all. I submit, Mr. President, that that is not a hearing.

Mr. LIPPITT. Mr. President, if the Senator from Michigan will yield to me, I should like to ask him if, in addition to their time being limited to 15 minutes, a very large proportion, in many cases, of that 15 minutes was not taken up by questions that were asked by members of the Ways and Means Committee in such manner that the witnesses were not allowed and not permitted to give their testimony as they would have liked to have done?

Mr. TOWNSEND. Quite so; and that is the complaint that has been made. Furthermore, the bill is being made now in secret caucus, and no witness who appeared before the House committee could have anticipated what the bill as finally reported would be. Certainly no one could have even guessed what the administrative features would be; but now, after a thorough understanding by the country of what is incorporated in the House bill, there is a better opportunity to obtain information directly on the matters involved than could have been had heretofore. So, I am pleading for hearings by the people, who are quite as patriotic as are any Members of this body and who are much more vitally interested in our fiscal policy, because that policy may mean industrial life or death to them, according as that policy is wise or otherwise.

Mr. LANE. I should like to ask the Senator a question, if he will allow me.

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Oregon?

Mr. TOWNSEND. I yield to the Senator.

Mr. LANE. I understood the Senator to refer to a large number of telegrams which he had received in relation to the tariff measure.

Mr. TOWNSEND. The Senator understood correctly.

Mr. LANE. Letters and telegrams protesting against the contemplated action of the majority party. I also understood the Senator to say that the action of the party was now being taken in secret, and that it would not be known what the facts were. I wish to ask the Senator if he is receiving large numbers of telegrams and letters from consumers or whether they are merely from the class of producers and manufacturers?

Mr. TOWNSEND. Mr. President, in this country there is not a great difference between producers and consumers. They are all consumers, and every able and competent person should be a producer. But if by consumers the Senator from Oregon means laboring people, I will say, for his information, that I have received letters and telegrams from some labor organizations asking that the House bill be not passed because, in their judgment, it would be detrimental to American labor. The Senator himself will undoubtedly hear later from this same source. Laborers can not be placed exclusively in the consuming class. They are the great producers of the world, and you must not close the door of American opportunity to them.

Mr. CLARK of Wyoming. Mr. President, I simply desire to ask a question for information. Is it a fact that any hearings of any length have been given upon the tariff question and the rates of the pending bill before the present Ways and Means Committee of the House?

Mr. STONE. Before the majority members of the Ways and Means Committee there were extended hearings on this very bill. I have in my office now five published volumes of those hearings embodying verbal statements and printed briefs submitted to the committee.

Mr. CLARK of Wyoming. May I ask the Senator were not those hearings rather upon a bill that was indeterminate in its



character? And is it not a fact that the present bill that is being considered, as I understand from the Senator from Michigan, in secret caucus, was not introduced in the House of Representatives until April 7 of the present year, and since that bill has been introduced there have been no hearings of any sort either by the majority or by the minority or by the full committee?

Mr. STONE. I do not think there have been hearings since the present House bill was introduced and referred to the Committee on Ways and Means—none that I know of—but there were extended hearings before the majority members of the Ways and Means Committee during the preparation of the bill.

Mr. PENROSE. Will the Senator permit me to interrupt him?

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Pennsylvania?

Mr. STONE. I do.

Mr. PENROSE. The Senator uses the term "extended hearings." Of course our estimate of the word "extended" is entirely relative. Does the Senator consider it an "extended hearing" to give one day to each schedule upon which ordinarily it would take several weeks to have adequate hearings, and to restrict persons representing thousands of employees and millions of dollars of investment to 15 minutes, the time allowed them being largely taken up by questions addressed to them? Does he consider a hearing on a measure which is not in existence an "extended hearing," when impressions were conveyed to manufacturers and to employees that certain lines of policy would be adopted and then schedules were announced and published, such as the cotton schedule, that came like a bolt from a clear sky upon the interests affected? Does he consider it reasonable that the cotton people should not be permitted to have a hearing when a schedule has been placed before the country entirely different from any schedule which they had reason to expect?

Mr. STONE. Mr. President—

Mr. PENROSE. If the Senator will excuse me for one moment, I will stop. After the bill is introduced the Democrats in the House of Representatives, by a large majority, solemnly decree that the proceedings shall be secret, and for some time practically three-fourths of the House of Representatives have been legislating in secret caucus, so that the American people have no official information as to the details of the transaction or the reasons or arguments leading to the conclusions embodied in the bill.

Mr. WARREN. Mr. President, will the Senator from Missouri allow me to ask a question of the Senator who has just taken his seat?

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Wyoming?

Mr. STONE. I do.

Mr. WARREN. I should like to ask the ex-chairman of the Committee on Finance whether the tariff bills which have been under consideration heretofore contained the same provision as to the date on which they should take effect as the measure now pending in the other House? As I understand, the present bill is to take effect on the day following its signature by the President. Was that true of the former bills which were under consideration?

Mr. PENROSE. The Senator means the Democratic tariff bills that were offered in the last Congress?

Mr. WARREN. Yes.

Mr. PENROSE. I do not remember whether they were to go into effect at once or not.

Mr. WARREN. My remembrance is that they were not to go into effect at once, and former tariff bills have not taken effect immediately on their enactment. That alone is a part of the problem that ought, in my judgment, to have been considered and evidence taken of those who are interested on both sides—the consumers, the manufacturers, and the farmers. The Wilson-Gorman bill passed in August, 1894, but as to Schedule K it did not become effective until the following July, nearly 11 months. The bill of last year, 1912, regarding that same Schedule K was not to become effective until January 1, 1913, and the same was true as to the bill relating to cotton; it was not to become effective until about 6 months after its passage. There are other features of the bill that are entirely new even to the Members of the majority of the House of Representatives. They knew nothing of the bill until it was presented after the hearings were all over. The bill is a stranger to everybody except the Ways and Means Committee of the House.

Mr. PENROSE. Mr. President, one more point, and I am done, if the Senator from Missouri will permit me. During the

last two Congresses the majority of the Finance Committee have never refused a hearing to anybody; and at the request of the then minority on numerous occasions, particularly when the cotton schedule was being considered, extensive and patient hearings were given to representatives of southern industries, who desired to be heard on measures then pending.

Mr. STONE. Mr. President, just why this matter has been injected at this time upon the Senate is not difficult to imagine. It is not pertinent to any business before the Senate. The question as to hearings will, of course, be determined by the Committee on Finance. The present occasion affords some opportunity for Senators on the other side to expand their vocal chords, perform a political vaudeville stunt, and get some attention by way of denouncing a revenue measure which has not even been considered by the House of Representatives, and which, therefore, under the Constitution, can not now be before the Senate. In other words, the manifest purpose is to create some kind of adverse public sentiment in advance. It is a political maneuver by distinguished and very adroit politicians.

Mr. President, the Senator from Pennsylvania [Mr. PENROSE] said that this bill fell like a clap of thunder from a clear sky, astounding the industrial interests of the country. I have no doubt that the bill produced some astonishment and some apprehension. It always happens that when we come to a proposal to reduce tariff taxation, to pare down a little the injustices of tariff schedules that have been built up in the interest of special classes having a sort of political partnership with the Republican Party, that those special interests feel and express astonishment and apprehension—naturally so. This always happens. But that is no reason why the mandate of the American people should not be executed, or why the Democratic Party should not go resolutely forward to reform abuses; and that is what we intend to do.

The Senator from Michigan [Mr. TOWNSEND] said that in the hearings had, only 15 minutes was given to particular schedules or items in schedules.

Mr. TOWNSEND. No, Mr. President; the Senator from Michigan did not say quite that.

Mr. STONE. What did he say?

Mr. TOWNSEND. The Senator from Michigan said that witnesses were not allowed, in many cases, over 15 minutes. I did not say that whole schedules were confined to 15 minutes. I said that witnesses were given only 15 minutes in many cases—not time enough to present their views.

While I am on my feet, may I ask the Senator for information on another subject?

Mr. STONE. Let us dispose of this subject while we have it in hand.

Mr. TOWNSEND. It is one that the Senator has just passed. Did I understand the Senator from Missouri to say that the Democratic Party, or the Democratic Members of the Senate, had received the mandate of a majority of the American people on this question?

Mr. STONE. Yes; I said that.

Mr. TOWNSEND. The election record does not so show.

Mr. STONE. Yes; I said that we have a mandate from a majority of the American people to revise the tariff downward.

Mr. TOWNSEND. Did the Senator take that mandate from the last election?

Mr. STONE. From the last election.

Mr. TOWNSEND. Does the Senator maintain that the Democratic Party received a majority of the votes at that election?

Mr. STONE. No; but I do mean to say that the Democratic Party received a very substantial plurality, and that the Progressive Party was also demanding a substantial downward revision of the tariff, and the vote received by the two constituted a large majority of the American electorate.

Mr. TOWNSEND. Does the Senator understand that the progressive element of the American people, or the Progressive Party, was for free trade as enunciated in this bill?

Mr. STONE. Nobody is for free trade. Why does the Senator speak of free trade? I am not speaking for free trade. The Democratic Party is not for free trade, but it is against a tariff system that enables special interests to plunder the great body of the American people almost at pleasure.

Mr. TOWNSEND. Is the Senator opposed to the free-trade items in the bill?

Mr. STONE. To some of them, perhaps; not to all of them. But does the Senator desire now to go into a discussion of the items of this bill in detail?

Mr. TOWNSEND. No.

Mr. STONE. If he does, I shall decline to accommodate him. We will take up the bill when we get it before the Senate in proper form.

Mr. TOWNSEND. No; I simply wanted to understand the Senator as he went along.

Mr. STONE. The Senator's question could not elicit information from anyone, unless he intended to open up the entire tariff discussion now, and that purpose he disclaims.

Mr. FLETCHER. Mr. President, I ask the Senator to yield for one moment, in order that the RECORD may be set straight as to this question of hearings.

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Florida?

Mr. STONE. I do.

Mr. FLETCHER. The actual facts are that the Committee on Ways and Means of the House of Representatives had a regular calendar of assignments for the hearings on this bill while it was being shaped, beginning January 7 and continuing to and through February 1, practically one month. I have in my hand the various calendars and assignments of those hearings, giving the name of the witness, what he represented, his address, the items in respect to which he appeared, and the time given. So these hearings were actually extended over a period of nearly one month by the Ways and Means Committee.

Mr. CLARK of Wyoming. Mr. President, may I ask the Senator before what committee those hearings were held?

Mr. FLETCHER. The Committee on Ways and Means of the House of Representatives.

Mr. CLARK of Wyoming. Of what Congress?

Mr. FLETCHER. The Sixty-second Congress.

Mr. WILLIAMS. The last Congress.

Mr. CLARK of Wyoming. The Sixty-second Congress?

Mr. FLETCHER. Yes.

Mr. CLARK of Wyoming. Do the same members constitute the Committee on Ways and Means of this Congress that formulated this bill? Was this bill formulated in the Sixty-third or the Sixty-second Congress?

Mr. FLETCHER. I have just stated that these hearings extended from January 7 to February 1. While the present members of the committee were not all members of it at that time, the present members of the Ways and Means Committee are gentlemen sufficiently qualified to read and understand the English language, and those hearings were all printed.

Mr. CLARK of Wyoming. The hearings to which the Senator refers, then, are hearings held during another Congress, before another Ways and Means Committee, which was composed of different people, and on another bill?

Mr. FLETCHER. There were only a few changes, as I understand.

Mr. STONE. The personnel of the Ways and Means Committee of this Congress is substantially that of the last Congress.

Mr. JONES. Mr. President, I rise simply to make an explanation.

Mr. STONE. Mr. President, if I am going to say anything at all, I shall have to ask Senators not to interrupt me so much.

The VICE PRESIDENT. Does the Senator refuse to yield?

Mr. JONES. I simply wanted to suggest that there are five new members of the committee.

Mr. STONE. Five out of seventeen are new members.

The Senator from Michigan [Mr. TOWNSEND] says that 15 minutes only was accorded to many witnesses. I have sat in the Finance Committee and heard hearings. Ordinarily 15 minutes is as much as or more time than is accorded to any single speaker. When you take up the tariff bill for hearings, it rarely happens that any gentleman appearing before the committee comes to discuss a schedule as a whole. He comes to address himself to some particular item in or part of the schedule.

For example, if we had the metals schedule before the committee and hearings were being had, how many men would undertake to discuss the entire metals schedule? You would have some gentlemen talking about lead ores, some about other ores, some about this branch and some about that branch of steel and iron manufactures, and so on. No one would undertake to discuss the schedule as a whole, because no one would likely be familiar with or directly interested in all the detailed items of the schedule.

That being true—and it is true—if you gave every man 15 minutes, and many came to speak on the various items, the hearings would be extended into weeks and even into months. When we had the hearings on the so-called Canadian reciprocity bill I think fully two months of time was absorbed by those hearings. They have been printed. Those books are accessible to every Senator. When the Payne-Aldrich tariff bill was being prepared there were hearings in the House, and hearings before the Republican members of the Finance Committee of the Senate. There are volumes of testimony, so called, and these books filled with statements made by interested parties, and all

of recent origin, are all accessible to everybody. Mr. President, the hearings on the Payne-Aldrich bill were only four years ago, or thereabouts. We have had hearings within the present year covering the items of this bill while it was in course of preparation. We have had hearings in the interim between these two dates—volumes of them, as I have said.

On yesterday, in conjunction with another member of the Finance Committee, I had a hearing on the plate-glass schedule in my committee room, and a very interesting hearing it was. The gentlemen who appeared before us, voluntarily and on their own motion, represented opposing interests. One represented the manufacturers of plate glass—among them being the president, secretary, and counsel of a manufacturing establishment—and upon the other a gentleman representing one of the largest plate-glass importing establishments of the country.

These gentlemen sat down at the table in front of us or around us. We held an old-fashioned conversational "seance." We discussed plate glass in all its phases from beginning to end.

Mr. GALLINGER rose.

Mr. STONE. Wait a moment until I finish this statement. We kept this up in a kindly conversational way for several hours. There was little of resentment among the antagonists before us—only now and then a flash, but nothing to disturb the sweet harmony of the occasion. We continued this interchange of views for nearly the whole of yesterday afternoon, just to oblige these gentlemen. All of them seemed anxious to talk.

What did it amount to? All of them had already submitted briefs or made statements before the Ways and Means Committee of the House; that is, before the very men who formulated the bill now pending in the House.

Mr. GALLINGER. Mr. President, will the Senator permit me?

Mr. STONE. In a moment. These gentlemen appeared before us and made statements; they filed their briefs with us as they had with the Ways and Means Committee, and they practically followed the briefs and statements they made before the Ways and Means Committee. In what they said to us in the three or four hours of our conference was but substantially a repetition of what each had said to the members of the Ways and Means Committee.

Mr. GALLINGER. Will the Senator permit me?

Mr. STONE. If the Senator will allow me a second, I will; but I wish to finish this statement.

What was said at this hearing yesterday was all taken down. I had a reporter there—Mr. Galt, one of the Senate committee reporters, and a very capable man, as all of you will admit. Every word of the hearing was taken down, and what was said can be compared with the statements made by the same gentlemen, pro and con, before the Ways and Means Committee. You will find there is no substantial difference.

From what I have said, I draw this conclusion: If the Senate should conclude to give hearings to the plate-glass industry, for example, and if we should open the door, as the Senator from Michigan would have us, and let the representatives of all plate-glass manufacturers throughout the country come in and be heard, and then have the importers come in and be heard, and then have the retail interests come in and be heard, and then, if possible, have the consuming interests come in and be heard, it would take us a week or more to cover that one item in that one schedule.

It seems to me, Mr. President, that would be an impossible waste of time if we expect to pass a tariff bill. If this were new there would be something to it, but we have time and again gone over and over this ground. We have had tariff hearings after tariff hearings, too often multiplied, year in and year out. It seems to me that two or three or four months of the time of the Senate should not be occupied by the Finance Committee in listening to a mere repetition of things that have already been said and printed even more than once in public documents.

Mr. GALLINGER. Mr. President, will the Senator permit me now?

Mr. STONE. I will.

Mr. GALLINGER. I beg to suggest, Mr. President, that I can conceive of nothing more charming than for any gentleman to sit on one side of a table and talk to the genial and witty Senator from Missouri on the other side. I have no doubt that that little interview was a very delightful affair. The Senator speaks of it as a "seance." I am gratified to know that a reporter was present, and that the "seance" has been written up in some form.

I should like to ask the Senator if the rest of us are to be given permission to see exactly what was said on that occasion? Is it to be printed?



Mr. STONE. I hope so.

Mr. GALLINGER. It is a new idea to me—

Mr. STONE. I hope it will be printed.

Mr. GALLINGER. I trust the Senator will see that it is printed.

Mr. STONE. I hope it will be printed. The Senator is a member of the Finance Committee.

Mr. GALLINGER. Yes.

Mr. STONE. It will be written out in type, and the Senator will have the benefit of reading it, if he wishes, and of comparing it with the statements made by the same gentlemen before the Ways and Means Committee.

Mr. GALLINGER. But the old-fashioned way was that I, as a member of the Finance Committee, would have been invited to any hearing that was held. It is a new idea to me that two members of the majority of the Finance Committee will hold hearings in a committee room and that the rest of us will have no opportunity to know what was said or done during that hearing.

I do not doubt that such so-called hearings may be profitable to the Senator and to his colleague, whoever he may have been, but really it would have been interesting to me to have witnessed that delightful interchange of views as between the Senator and the gentlemen who appeared representing a very great industry in the United States. Having been denied that pleasure, I repeat that I hope the interview will be printed.

Mr. STONE. Mr. President, of course this was not an authorized interview or hearing.

Mr. O'GORMAN. Mr. President—

Mr. STONE. I hope the Senator—

Mr. O'GORMAN. I think we might well go on with the regular order of business.

Mr. STONE. This is the regular order. I hope the Senator will permit me to reply to the Senator from New Hampshire.

The hearing was not by order of the Committee on Finance. Manufacturers come to me frequently, and I suppose they go to other Senators, to confer. It so happened that recently on the same day gentlemen representing opposing interests in the plate-glass business called to see me. They did not come at the same time; they were not together. They did not come to my office together nor come to this conference together. In fact, they never did "get together." I suggested to them that I thought it might be valuable if gentlemen representing opposing sides, who desired to talk to me, should come and talk at the same time; that I would like to hear both sides at once by men speaking face to face.

Mr. PENROSE. Will the Senator from Missouri permit a suggestion?

Mr. STONE. In a moment. We had this friendly conversational conference. There was nothing combative or exciting about it. A competent reporter took down all that was said. I was impressed by the fact that the statements made before us on yesterday were substantially a repetition of what was said by the same people before the Ways and Means Committee a month or six weeks before.

Mr. PENROSE. I have a question to ask which may relieve this situation. If the minority can not get the majority of the Finance Committee to grant hearings, perhaps we can get a promise from the Senator from Missouri to hold hearings daily with a reporter. If the Senator is willing to continue this personal investigation, I have a large number of constituents and visitors every day whom I will be glad to refer to him.

Mr. STONE. No; I decline.

Mr. PENROSE. Is this the last hearing the Senator is to hold or is he to continue these hearings?

Mr. STONE. I think it is the last I will hold. I gave three hours to that one, and if I should give like time to every item of all the three or four thousand items in the bill, I could never hope to finish my task.

Mr. PENROSE. One more question and I am through. I have likewise been the recipient of visits from glass manufacturers, and listened to their tale of woe. I am curious to know whether after the four hours' recital of the hardships under which they will labor when this tariff bill becomes a law the story made any impression on the mind of the Senator from Missouri.

Mr. STONE. Oh, yes; it made a distinct impression in a way.

Mr. PENROSE. Then will the Senator come around to a higher rate of duty on plate glass?

Mr. O'GORMAN. Mr. President, I respectfully insist on the regular order.

The VICE PRESIDENT. The regular order is demanded. If there are no further petitions or memorials, reports of committees are in order.

#### PROPOSED LEGISLATIVE PROGRAM.

Mr. OVERMAN. I report back from the Committee on Rules Senate resolution No. 4, and submit a report thereon, which I ask that the Secretary may read, in order that the Senator from Nevada [Mr. NEWLANDS] may be heard upon the report before action is taken.

The VICE PRESIDENT. The Senator from North Carolina presents a report from the Committee on Rules, which will be read.

The Secretary read the report (No. 5), as follows:

The Committee on Rules, to whom was referred Senate resolution 4, having considered the same, report the resolution back to the Senate with the recommendation that each subhead contained therein be referred for consideration to the proper committee having jurisdiction of the subject matter, to wit:

That section 2, relating to tariff and taxation, be referred to the Committee on Finance.

That section 3, relating to interstate-commerce matters, be referred to the Committee on Interstate Commerce.

That section 4, relating to interstate exchange, be referred for consideration to the newly created Committee on Banking and Currency.

That section 5, relating to public lands and natural resources, be referred to the Committee on Public Lands.

That section 6, relating to military expense and auxiliary Navy, be referred for consideration to the Committees on Military and Naval Affairs, respectively.

Mr. WILLIAMS. Mr. President, I wish to make a parliamentary inquiry. Is this matter in order at this stage of the proceedings?

The VICE PRESIDENT. It is the report of a committee. It is in order.

Mr. WILLIAMS. I did not know that we had reached reports of committees.

Mr. NEWLANDS. Mr. President, on the 17th day of March I offered in this body a resolution providing for a legislative program covering certain questions relating to the tariff, to interstate commerce, to the conservation of our natural resources, to the regulation of our rivers, and to the diminution of military and naval expenses. The purpose of that resolution, as stated at the time—

Mr. McCUMBER. Mr. President, I desire to ask what matter is before the Senate at the present time.

The VICE PRESIDENT. A report of the Committee on Rules.

Mr. McCUMBER. Is it before the Senate with unanimous consent for its present consideration?

Mr. OVERMAN. Naturally the report will take its place on the calendar.

Mr. McCUMBER. I object to its consideration.

Mr. OVERMAN. But the Senator from Nevada wishes to be heard on the report.

Mr. McCUMBER. Some of us have been waiting for a long time to get through with the routine business.

The VICE PRESIDENT. Does the Senator from North Dakota object to the present consideration of the report?

Mr. McCUMBER. I object to its consideration until after we get through with the morning business.

Mr. NEWLANDS. I will, of course, defer to the convenience of Senators in the interest of morning business.

Mr. McCUMBER. There will be plenty of time to discuss it afterwards.

The VICE PRESIDENT. The report will be placed on the calendar.

#### ASSISTANT CLERKS OR MESSENGERS TO SENATORS.

Mr. WILLIAMS. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 15, to authorize the employment of an assistant clerk to certain committees, to report it with an amendment in the nature of a substitute, and I submit a report (No. 6) thereon.

The VICE PRESIDENT. The resolution reported by the committee will be read.

The Secretary read the substitute, as follows:

Resolved, That the Committee on Coast and Insular Survey; on Enrolled Bills; on Expenditures in the Agricultural Department; on Expenditures in the Departments of Commerce and Labor; on Standards, Weights, and Measures; on Expenditures in the Department of State; on Forest Reservations and the Protection of Game; on National Banks; on Public Health and National Quarantine; on Geological Survey; to Investigate Trespassers upon Indian Lands; on the Mississippi River and its Tributaries; on Pacific Railroads; on Railroads; on Transportation Routes to the Seaboard; on the University of the United States; on Woman Suffrage; to Examine the Several Branches of the Civil Service; on Indian Depredations; on Transportation and Sale of Meat Products; on Engrossed Bills; on the Five Civilized Tribes of Indians; on Additional Accommodations for the Library of Congress; on Private Land Claims; on Disposition of Useless Papers in the Executive Departments; on Revolutionary Claims; on Corporations Organized in the District of Columbia, on conference of the minority of the Senate, be, and they are hereby, authorized to employ one assistant clerk each, at \$1,200 per annum, to be paid from "miscellaneous items" of the contingent fund of the Senate until otherwise provided for by law: *Provided*, That if any of the committees recited

above already have three employees the resolution shall not apply to them, except that this proviso shall not apply to the conference of the minority of the Senate.

Mr. OLIVER. Reserving the right to object to present consideration—

Mr. JONES. I am going to ask that the resolution shall go over.

Mr. OLIVER. While I am on the floor I would like to ask the chairman of the committee whether that committee has considered the resolution offered some time ago by the Senator from New Hampshire [Mr. GALLINGER] relating to the allowance of additional help to Senators who are not chairmen of committees.

Mr. WILLIAMS. That resolution is pending before the committee, but no definite action has thus far been taken upon it. We have thought proper at this time to go only so far as the majority went with us when we were the minority. They gave merely extra help to certain minority committees. We have provided in this resolution for every minority committee, doing better by you than you did by us. When we were in the minority, I, for one, and a great many of us, had to get along with two employees. That was all you gave us then. What the committee will do with that resolution finally when it comes to act on it definitely I am not now prepared to say.

Mr. WARREN. May I ask that the resolution be read again?

Mr. WILLIAMS. It is the same resolution the Senator saw this morning.

Mr. WARREN. I saw only a part of it.

Mr. PENROSE. The resolution goes over.

Mr. SMOOT. Before the resolution goes over on objection, I should like to ask the Senator from Mississippi if he will not allow one amendment to be made at this time. Instead of "assistant clerk" I suggest to insert "messenger." I will state the reason why I make the suggestion. It seems to me it would be rather inconsistent to have an assistant clerk at \$1,200 and a messenger at \$1,440, and it would be just as well to have a messenger at \$1,200.

Mr. LODGE. Let the resolution go over and be printed.

Mr. WILLIAMS. So far as I am concerned, I see no objection to the amendment suggested by the Senator from Utah. It does seem to be rather incongruous to be paying a man whom you call an assistant clerk \$1,200, while you pay a man whom you call a messenger \$1,440. I do not see that it will affect the resolution in the slightest degree. What we are reaching out after is to give the Senators an extra employee, and we have concluded that that employee shall be paid \$1,200 a year. It does not make any difference materially whether you call him assistant clerk or messenger. If the Senator from Utah chooses to offer the amendment, I shall not oppose it.

Mr. JONES. Mr. President, I ask the Senator from Mississippi whether all the majority committees have a messenger at \$1,440.

Mr. WILLIAMS. Most of the majority committees have. The substance of this will be that the minority committees will have a clerk at varying salaries, running up, some of them, as high as \$2,500, and then another employee at \$1,440, who is now called a messenger, and then they will have this additional employee at \$1,200. By the way, I will just say that my own committee, which is going to be made a working committee, has no more help than that, and several of the working committees will have no more help. I see no objection to the amendment to be offered by the Senator from Utah, if he chooses to offer it.

Mr. SMOOT. I offer that amendment.

Mr. WARREN. There are several branches of this matter, and I ask that the resolution may go over.

Mr. SMOOT. I will withdraw the suggestion now and offer the amendment when the resolution comes up in regular order.

The VICE PRESIDENT. The resolution will be placed on the calendar.

Mr. GALLINGER and Mr. JONES. And printed.

The VICE PRESIDENT. It will be printed.

Mr. JONES. I desire to state that unless the resolution I offered the other day is acted upon by the committee before this matter comes up again, I shall expect to offer that resolution as an amendment, but making the amount \$1,200 instead of \$1,440.

Mr. WILLIAMS. This matter has been acted upon by the committee. It is before the Senate on a favorable report from the committee.

Mr. JONES. I offered the resolution the other day, and, in conformity to the resolution that the Senator introduced, I proposed that assistant clerks of certain Senators should be paid \$1,440. I would be perfectly willing to amend my resolution

by making the amount \$1,200. So if that resolution should not be acted upon by the committee before this matter comes up—

Mr. WILLIAMS. What is the Senator's resolution?

Mr. JONES. It proposes to give to each member of the minority not the chairman of a committee an extra employee.

Mr. WILLIAMS. I hope the Senator from Washington will not attempt to complicate this matter with that. That will bring us into a field of discussion. The other side did not give each member of the minority an extra employee when you were in the majority, and I do not know but that there would be objection to it upon this side. All that you did was to give the chairmen of the minority committees three men. To some of them you did not even give three men. I hope that the matter will be permitted to be considered by the committee upon its own merits and be brought up as a separate proposition and not be complicated with this question.

Mr. JONES. I simply desire to suggest—

Mr. WILLIAMS. I shall feel compelled to resist the amendment.

Mr. McCUMBER. I ask that the resolution may go over.

Mr. JONES. I had the floor, I understood.

Mr. McCUMBER. I do not understand that anyone has the floor against an objection.

Mr. WILLIAMS. The Senator from Washington had the floor, and I interrupted him with his permission.

The VICE PRESIDENT. The Senator from Washington has the floor.

Mr. JONES. I merely want to suggest to the Senator from Mississippi that I think the two propositions are really germane the one to the other, because every Senator must concede that the fact that a Senator is chairman of a committee does not bring him any more work and does not make him any more work at all. When we were in the majority we may not have allowed to Senators the additional help, but I do not know whether you asked for more help. I wish to say that I have always been in favor of allowing a Senator what he actually needed to do the necessary business. I think that is what we ought to have. The Senator says that they have gone further already in this matter than we went. I am simply asking them to go a little further and give us what I think is absolutely necessary. I do not want any more help than is necessary to do the official work that comes to us, but I do think we ought to have this help. I did not want to have the matter now brought before the Senate considered by it until there would be an opportunity to present this other proposition to the committee.

Mr. WILLIAMS. If the Senator will pardon one more interruption, he says he simply wants each Senator to have the aid that is necessary to do his work. Hitherto Senators have managed to do their work, and tolerably well, I take it—I manage to do mine, I know—under a less generous dispensation of aid than this gives them, and I think we had better accept this when it comes up. It is not now under discussion, however.

Mr. JONES. I simply want to suggest, Mr. President—

Mr. PENROSE. Mr. President, the order of the introduction of bills has not been reached?

The VICE PRESIDENT. It has not yet been reached.

Mr. PENROSE. I have some bills that I should like to have an opportunity to introduce when that order is reached.

Mr. WORKS. Mr. President, some days ago I gave notice of my intention to submit some remarks to the Senate to-day, but I am beginning to think that there is a conspiracy on foot to prevent me from submitting those remarks. I feel constrained, under the circumstances, in justice to myself, to call for the regular order.

The VICE PRESIDENT. Reports of committees are still in order.

REPORT OF DAUGHTERS OF AMERICAN REVOLUTION (S. DOC. NO. 9).

Mr. FLETCHER, from the Committee on Printing, to which the subject was referred, reported the following resolution, submitted a report (No. 7) thereon, and it was considered by unanimous consent and agreed to (S. Res. 51):

*Resolved*, That the Annual Report of the National Society of the Daughters of the American Revolution for the year ended October 11, 1912, be printed, with the accompanying illustrations, as a Senate document, together with the letter from the Secretary of the Smithsonian Institution transmitting said report in accordance with the provisions of an act to incorporate the National Society of the Daughters of the American Revolution, approved February 20, 1896.

CHARLES B. HAGADORN.

Mr. STONE, from the Committee on Foreign Relations, to which was referred the bill (S. 721) authorizing the State Department to deliver to Charles B. Hagadorn a gift from the Government of Mexico, submitted an adverse report (No. 8) thereon, which was agreed to, and the bill was postponed indefinitely.



## SPURIOUS CURRENCY—CHANGE OF REFERENCE.

Mr. JONES. A few days ago I introduced a bill (S. 954) forbidding the use of spurious currency, and for other purposes, which was referred to the Committee on Finance. I move that the committee be discharged from its further consideration and that it be referred to the Committee on Banking and Currency.

The motion was agreed to.

## BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PENROSE:

A bill (S. 1099) granting an annuity of \$100 to officers and enlisted men of the United States Army, Navy, and Marine Corps who have been awarded medals of honor for gallantry in action and other soldier-like qualities under acts of Congress, and authorizing the President of the United States to make rules and regulations for carrying the act into effect;

A bill (S. 1100) granting an annuity equivalent to \$50 per month to officers and enlisted men of the United States Army, Navy, and Marine Corps who have attained the age of 65 years and have been, or may hereafter be, awarded medals of honor for gallantry and heroism involving great personal peril, and authorizing the President of the United States to make rules and regulations for carrying the act into effect; and

A bill (S. 1101) for the relief of the survivors of McLean's Pennsylvania Regiment; to the Committee on Military Affairs.

A bill (S. 1102) for the relief of George L. Thomas;

A bill (S. 1103) for the relief of Louisa Weaver; and

A bill (S. 1104) for the relief of Cecelia Barr; to the Committee on Claims.

A bill (S. 1105) granting an increase of pension to Frank P. Haas (with accompanying papers);

A bill (S. 1106) granting a pension to Eliza Wilson;

A bill (S. 1107) granting a pension to Edward M. Stevens;

A bill (S. 1108) granting an increase of pension to William Spotts;

A bill (S. 1109) granting a pension to Frederick Wagner (with accompanying papers);

A bill (S. 1110) providing for the retirement of noncommissioned officers, petty officers, and enlisted men of the United States Army, Navy, and Marine Corps, and for the efficiency of the enlisted personnel;

A bill (S. 1111) granting a pension to Minerva H. Perry (with accompanying papers);

A bill (S. 1112) granting an increase of pension to Albert Schroeder;

A bill (S. 1113) to pension widows and minor children of officers or enlisted men who served in the War with Spain or Philippine insurrection;

A bill (S. 1114) granting a pension to James A. Stine;

A bill (S. 1115) granting a pension to Margaret Montgomery;

A bill (S. 1116) granting an increase of pension to Delight R. Allen (with accompanying papers);

A bill (S. 1117) granting an increase of pension to James M. P. Brookens;

A bill (S. 1118) granting a pension to Lucy M. Cooke;

A bill (S. 1119) granting an increase of pension to Margaret Boyd;

A bill (S. 1120) granting a pension to Charles L. Greene;

A bill (S. 1121) granting a pension to Ida E. Carter; and

A bill (S. 1122) granting a pension to Fannie M. Carey; to the Committee on Pensions.

By Mr. SMITH of Maryland:

A bill (S. 1123) to establish a commission to be known as the National Forest Demonstration and Experimental Commission, and to make an appropriation therefor; to the Committee on Agriculture and Forestry.

A bill (S. 1124) for the relief of G. L. Taneyhill; to the Committee on Military Affairs.

A bill (S. 1125) for the relief of the heirs of Ann Gregory, deceased;

A bill (S. 1126) for the relief of John E. Semmes, receiver of the Columbian Iron Works & Dry Dock Co., of Baltimore, Md.;

A bill (S. 1127) for the relief of Samuel H. Walker;

A bill (S. 1128) for the relief of Frederick J. Ernst (with accompanying paper);

A bill (S. 1129) for the relief of the estate of George Lloyd Raley;

A bill (S. 1130) for the relief of the heirs of William Hickey, deceased;

A bill (S. 1131) for the relief of the estate of Thomas Loker; and

A bill (S. 1132) for the relief of the trustees of the Quinn African Methodist Episcopal Church, of Frederick, Md.; to the Committee on Claims.

A bill (S. 1133) granting an increase of pension to Elizabeth McLaughlin;

A bill (S. 1134) granting a pension to Golda M. Morrison; and

A bill (S. 1135) granting a pension to Mary Meade Sands; to the Committee on Pensions.

By Mr. WILLIAMS:

A bill (S. 1136) to provide for a commission to investigate commissions and to make recommendations concerning the same; to the Committee on Appropriations.

A bill (S. 1137) to revive the right of action under the captured and abandoned property acts, and for other purposes; to the Committee on the Judiciary.

A bill (S. 1138) to prescribe the conditions under which corporations may engage in interstate commerce and to provide penalties for otherwise engaging in the same; to the Committee on Interstate Commerce.

A bill (S. 1139) to establish a drainage fund and to provide for the reclamation of swamp and overflowed lands in certain States; to the Committee on Public Lands.

A bill (S. 1140) to reimburse T. C. Barrier, postmaster, Philadelphia, Miss., for registered money stolen in transit; to the Committee on Post Offices and Post Roads.

A bill (S. 1141) providing for competitive designs for a naval monument in the Vicksburg National Military Park; to the Committee on Military Affairs.

A bill (S. 1142) providing for a monument to commemorate the services and sacrifices of the women of the country at the time of the American Revolution; to the Committee on the Library.

A bill (S. 1143) to confer jurisdiction on the Court of Claims to hear, determine, and adjudicate claims for the taking of private property and damages thereto as the result of the improvement of the Mississippi River for navigation; and

A bill (S. 1144) to aid in construction of levees and embankments on the east side of the Mississippi River in Warren, Jefferson, Adams, and Wilkinson Counties, Miss.; to the Committee on Commerce.

A bill (S. 1145) to confer jurisdiction on the Court of Claims to hear, determine, and adjudicate claims for the taking of private property and damages thereto as the result of the improvement of the Mississippi River for navigation; and

A bill (S. 1146) to carry into effect the findings of the Court of Claims in the matter of the claim of Elizabeth Johnson; to the Committee on Claims.

By Mr. SHIVELY:

A bill (S. 1147) for the relief of Alfred Ale, alias James Howard;

A bill (S. 1148) to correct the military record of Maj. Robert G. Smither, United States Army, retired;

A bill (S. 1149) to correct the military record of Seth Watson (with accompanying paper);

A bill (S. 1150) for the relief of Nathan Mendenhall; and

A bill (S. 1151) to remedy in the line of the Army the inequalities in rank due to the past system of regimental promotion; to the Committee on Military Affairs.

A bill (S. 1152) for the relief of Thomas J. Keith; to the Committee on Claims.

A bill (S. 1153) granting a pension to David R. Todd;

A bill (S. 1154) granting an increase of pension to William Holdaway;

A bill (S. 1155) granting an increase of pension to Charles Morritz;

A bill (S. 1156) granting an increase of pension to Charles W. Allen;

A bill (S. 1157) granting an increase of pension to George A. Marks;

A bill (S. 1158) granting an increase of pension to Seth Watson; and

A bill (S. 1159) granting a pension to Demmie Inman; to the Committee on Pensions.

By Mr. McCUMBER:

A bill (S. 1160) for the relief of Isaac J. Reese; and

A bill (S. 1161) to credit certain officers of the Medical Department, United States Army, with services rendered as acting assistant surgeons during the Civil War; to the Committee on Military Affairs.

A bill (S. 1162) allowing credit in computing the pay of any officer of the Army, Navy, or Marine Corps for service while in the Revenue-Cutter Service; to the Committee on Naval Affairs.

A bill (S. 1163) to incorporate the Greater Washington Poultry & Pigeon Club, of Washington, D. C.; to the Committee on the District of Columbia.

A bill (S. 1164) for the relief of Charles Ashwell and others;

A bill (S. 1165) for the relief of Capt. Frederick G. Lawton, United States Army;

A bill (S. 1166) for the relief of Capt. James Ronayne, United States Army; and

A bill (S. 1167) for the relief of Capt. N. F. McClure, United States Army; to the Committee on Claims.

A bill (S. 1168) granting an increase of pension to John Enright; to the Committee on Pensions.

By Mr. JACKSON:

A bill (S. 1169) to promote and encourage the building of modern public highways by granting aid thereto under certain conditions; to the Committee on Post Offices and Post Roads.

A bill (S. 1170) to extend the provisions of section 4631, title 54, "Prize," of the Revised Statutes of the United States, and of the act approved June 8, 1874, in relation to prize money to fleet officers; and

A bill (S. 1171) for the relief of Samuel Henson; to the Committee on Claims.

A bill (S. 1172) granting a pension to Martha A. Rea; to the Committee on Pensions.

By Mr. SHAFROTH:

A bill (S. 1173) for the relief of the city of Pueblo, Colo.; to the Committee on Claims.

By Mr. BRISTOW:

A bill (S. 1174) for the relief of William Walters, alias Joshua Brown; to the Committee on Military Affairs.

By Mr. MARTINE of New Jersey:

A bill (S. 1175) to remove the charge of desertion on the first enlistment of Daniel B. Stone, alias Nelson Davis; to the Committee on Military Affairs.

A bill (S. 1176) to acquire certain land in Washington Heights for a public square, to be known as Columbia Square; to the Committee on Public Buildings and Grounds.

By Mr. THOMPSON:

A bill (S. 1177) providing for publicity of contributions made for the purpose of influencing elections at which Representatives and Senators in the Congress of the United States and presidential electors are to be voted for and elected, and limiting the amount of campaign expenses; to the Committee on Privileges and Elections.

By Mr. SHERMAN:

A bill (S. 1178) to make an appropriation for the strengthening and construction of levee or levees at and near the city of Cairo, Ill.; to the Committee on Commerce.

A bill (S. 1179) for the relief of Edward N. McCarty; to the Committee on Claims.

A bill (S. 1180) for the relief of William Thomas; to the Committee on Military Affairs.

A bill (S. 1181) granting an increase of pension to Thomas J. Denny; and

A bill (S. 1182) granting an increase of pension to Elizabeth Chapman; to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 1183) authorizing and directing the Director of the Geological Survey to cause to be made a complete topographic and hydrographic survey of the State of Texas; to the Committee on Appropriations.

A bill (S. 1184) for a complete soil survey of the State of Texas; to the Committee on Agriculture and Forestry.

A bill (S. 1185) prohibiting changes in size and color of currency without consent of Congress; to the Committee on Finance.

By Mr. LANE:

A bill (S. 1186) for additional protection of the Bull Run Forest Reserve and the sources of the water supply of the city of Portland, in the State of Oregon (with accompanying paper); to the Committee on Forest Reservations and the Protection of Game.

By Mr. KERN:

A bill (S. 1187) for the relief of Frederick Zichendraft;

A bill (S. 1188) for the relief of Dudley Simms; and

A bill (S. 1189) for the relief of William Schindler; to the Committee on Military Affairs.

A bill (S. 1190) granting relief to persons who served in the Military Telegraph Corps of the Army during the Civil War;

A bill (S. 1191) granting an increase of pension to Mahala E. Warmoth;

A bill (S. 1192) granting an increase of pension to Aaron B. Waggoner;

A bill (S. 1193) granting an increase of pension to Wilson Wells;

A bill (S. 1194) granting an increase of pension to John W. Wareham;

A bill (S. 1195) granting an increase of pension to Henry Whittinger;

A bill (S. 1196) granting an increase of pension to William Willis;

A bill (S. 1197) granting a pension to Sarah Thomas;

A bill (S. 1198) granting an increase of pension to Joseph Taylor;

A bill (S. 1199) granting an increase of pension to John Smith;

A bill (S. 1200) granting an increase of pension to Phillip T. Simmonds;

A bill (S. 1201) granting an increase of pension to Josephus Steller; and

A bill (S. 1202) granting an increase of pension to Oliver P. Stout; to the Committee on Pensions.

By Mr. MYERS:

A bill (S. 1203) for the relief of Indians who have taken allotments on the public domain, and their respective families and descendants; to the Committee on Indian Affairs.

A bill (S. 1204) for the relief of Daniel Butland; to the Committee on Claims.

By Mr. KENYON:

A bill (S. 1205) granting an increase of pension to John Ogan;

A bill (S. 1206) granting an increase of pension to Conrad L. Gabrielson;

A bill (S. 1207) granting an increase of pension to Emily J. Walton; and

A bill (S. 1208) granting a pension to Edwin R. Gibson; to the Committee on Pensions.

By Mr. ROBINSON:

A bill (S. 1209) granting a pension to Thomas S. Garen;

A bill (S. 1210) granting an increase of pension to B. E. Benton;

A bill (S. 1211) granting a pension to B. E. De Vall; and

A bill (S. 1212) granting a pension to Stephen Konicka; to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 1213) to provide for the refunding of certain moneys illegally assessed and collected in the district of Utah; to the Committee on Finance.

A bill (S. 1214) to amend sections 2380 and 2381, Revised Statutes of the United States; to the Committee on Public Lands.

A bill (S. 1215) to enlarge the Grand Canyon game refuge; to the Committee on Forest Reservations and the Protection of Game.

By Mr. GOFF:

A bill (S. 1216) for the relief of Oakley Randall; to the Committee on Claims.

A bill (S. 1217) granting a pension to George W. Johnson; to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 1218) construing the provisions of section 2 of the pension act of June 27, 1890, and section 1 of the act of February 8, 1907; to the Committee on Pensions.

By Mr. THOMAS:

A bill (S. 1219) providing for the holding of regular term of district court at Durango, Colo.; to the Committee on the Judiciary.

A bill (S. 1220) to increase the limit of cost of the public building authorized to be constructed at Durango, Colo.; and

A bill (S. 1221) for the erection of a public building at Montrose, Colo.; to the Committee on Public Buildings and Grounds.

By Mr. DU PONT:

A bill (S. 1223) granting a pension to William C. White; to the Committee on Pensions.

By Mr. CRAWFORD:

A bill (S. 1224) to regulate the filing and hearing of protests filed by agents of the United States against the acceptance of proofs of residence and cultivation made by and the issuance of patents thereon to homestead entrymen; to the Committee on Public Lands.

A bill (S. 1225) to establish a fish-hatching and fish-culture station at a point in the eastern portion of the State of South Dakota to be selected by the Secretary of Commerce (with an accompanying paper); to the Committee on Fisheries.

A bill (S. 1226) to enable the President to propose and invite foreign Governments to participate in an international conference to promote an international inquiry into the causes of the high cost of living throughout the world and to enable the United States to participate in said conference; to the Committee on Foreign Relations.

A bill (S. 1227) for the relief of Charles R. Crosby; to the Committee on Military Affairs.



By Mr. SMOOT:

A bill (S. 1228) for the relief of Henry N. Bird;  
A bill (S. 1229) for the relief of John F. Wilkinson;  
A bill (S. 1230) for the relief of Lachoneus Barnard;  
A bill (S. 1231) for the relief of Lemuel H. Redd; to the Committee on Military Affairs.

A bill (S. 1232) to provide for the erection of a public building at American Fork, Utah; and

A bill (S. 1233) to provide for the erection of a public building at Nephi, Utah; to the Committee on Public Buildings and Grounds.

A bill (S. 1234) granting a pension to Charles O. Farnsworth;  
A bill (S. 1235) granting an increase of pension to Margaret Liddle;

A bill (S. 1236) granting an increase of pension to Charles Crismon;

A bill (S. 1237) granting a pension to Elizabeth Garland (with accompanying papers);

A bill (S. 1238) granting a pension to John H. Kidd (with accompanying papers); and

A bill (S. 1239) granting an increase of pension to Maria Howell (with accompanying papers); to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 1240) to establish the Legislative Reference Bureau of the Library of Congress; to the Committee on the Library.

A bill (S. 1241) to correct the military record of Joseph Hawkins; to the Committee on Military Affairs.

A bill (S. 1242) granting a pension to Chester A. Walker; to the Committee on Pensions.

By Mr. JONES:

A bill (S. 1243) directing the issuance of patent to John Russell; to the Committee on Public Lands.

By Mr. JAMES:

A bill (S. 1244) for the relief of the trustees of Bloomfield Lodge, No. 57, Ancient Free and Accepted Masons, of Bloomfield, Ky.; the trustees of the town of Bloomfield, Ky.; and the trustees of the Bloomfield graded common schools of Bloomfield, Ky.;

A bill (S. 1245) for the relief of Lexington Lodge, No. 1, Ancient Free and Accepted Masons, of Lexington, Ky., and the Grand Lodge Ancient Free and Accepted Masons of the State of Kentucky;

A bill (S. 1246) for the relief of the fiscal court of Bourbon County, Ky.;

A bill (S. 1247) for the relief of Shelby County, Ky.;

A bill (S. 1248) for the relief of the estate of William Thomas Lowe; and

A bill (S. 1249) for the relief of the estate of William J. Sailing, deceased; to the Committee on Claims.

By Mr. BRADLEY:

A bill (S. 1250) for the relief of the estate of Leopold Harth, deceased;

A bill (S. 1251) for the relief of the estate of James E. Morgan, deceased;

A bill (S. 1252) for the relief of J. Will Morton and the estate of Clarissa H. Morton, deceased;

A bill (S. 1253) for the relief of the Louisville Trust Co., administrator of the estate of Emily Oldham, deceased;

A bill (S. 1254) for the relief of the estate of R. G. Potter, deceased;

A bill (S. 1255) for the relief of the estate or heirs of Philip P. Phillips, deceased;

A bill (S. 1256) for the relief of the estate of James Sayre, deceased; and

A bill (S. 1257) for the relief of the estate of John M. Abbott, deceased; to the Committee on Claims.

A bill (S. 1258) granting a pension to Mariam Norris (with accompanying papers);

A bill (S. 1259) granting an increase of pension to Nathaniel J. Smith; and

A bill (S. 1260) granting an increase of pension to Alfred H. McPherson (with accompanying papers); to the Committee on Pensions.

By Mr. WILLIAMS:

A bill (S. 1261) for the relief of the Methodist Episcopal Church South, at Sageville, Lauderdale County, Miss.; to the Committee on Claims.

By Mr. O'GORMAN:

A bill (S. 1262) authorizing 15 days' leave of absence with pay to per diem employees of the Lighthouse Service of the Department of Commerce; to the Committee on Commerce.

A bill (S. 1263) for the relief of James P. Ruggles and others; to the Committee on Claims.

A bill (S. 1264) granting an increase of pension to William H. Wheeler; and

A bill (S. 1265) granting an increase of pension to Thomas Buckley; to the Committee on Pensions.

A bill (S. 1266) for the relief of Edward Byrne (with accompanying paper); to the Committee on Military Affairs.

By Mr. THOMPSON:

A joint resolution (S. J. Res. 21) proposing an amendment to the Constitution providing that the President shall hold office for one term of six years and that the President and Vice President shall be elected by direct vote of the people; to the Committee on the Judiciary.

DR. FRIEDRICH FRANZ FRIEDMANN.

Mr. HUGHES. I introduce a bill, and ask unanimous consent for its present consideration.

Mr. SMOOT. Mr. President, that has hardly ever been done in the Senate, and I think I shall have to object.

Mr. HUGHES. I should like to have the bill read. I understand, of course, that objection can be made to its consideration.

The VICE PRESIDENT. The bill will be read by title.

The bill (S. 1222) authorizing and directing the board of medical supervisors of the District of Columbia to issue to Friedrich Franz Friedmann, without examination, a license to practice medicine and surgery in the District of Columbia, was read twice by its title.

Mr. GALLINGER. Mr. President, I will have to object to unanimous consent being given to have the bill acted upon at this time. There are pretty serious questions involved in it. I ask that it be referred to the appropriate committee.

The VICE PRESIDENT. Objection being made, the bill will be referred to the Committee on the District of Columbia.

Mr. HUGHES. Mr. President, did I understand the Senator from New Hampshire to object?

Mr. GALLINGER. I will have to object to the present consideration of the bill. I should like to look into it and consult some of the medical men of the District concerning it. It is a serious matter. It proposes to suspend existing law.

Mr. HUGHES. The whole matter is serious. The disease which this doctor is engaged in fighting is an extremely serious matter.

Mr. GALLINGER. Yes.

Mr. HUGHES. My object in laying the bill before the Senate was to see if we could not get away from objections raised by certain members of the medical fraternity and from the attitude of distrust and suspicion which seems to characterize the gentlemen who are representing the Government in their dealings with this scientist. I have been the recipient of countless letters, telegrams, telephonic communications, and personal requests from men who are standing on the brink of the grave who feel that perhaps their lives may be saved if they are permitted to take this treatment. Dr. Friedmann himself seems to be under the impression that he is absolutely under the control of the Federal service in this matter, and he thinks he is operating under the same sort of governmental supervision that he would be compelled to operate under in Germany. At his request I have introduced the bill. I regret very much that the Senator from New Hampshire thinks it necessary that the consideration of this matter should be delayed, when his single objection perhaps will mean the loss of the lives of men, women, and children who are eager and anxious to take all the risks, real or fancied, in connection with this treatment.

Mr. STONE. Mr. President, will the Senator permit a question?

The VICE PRESIDENT. Does the Senator from New Jersey yield to the Senator from Missouri?

Mr. HUGHES. I do.

Mr. STONE. I should like to ask the Senator from New Jersey—

Mr. WORKS. Mr. President, I again call for the regular order, since objection is made to the present consideration of the bill.

The VICE PRESIDENT. Objection being made, the bill will be referred to the Committee on the District of Columbia.

Mr. HUGHES. Mr. President, I ask unanimous consent to have read a letter which I have received bearing upon the subject matter of the bill I just introduced.

Mr. PENROSE. Mr. President, I object to the reading of a letter on this subject. I do not want to pronounce this man a faker, but I think the Senate is going out of its way to give him advertisement. He may be a quack, for all I know. I have direct information that the reputable physicians of the country look with considerable doubt upon his maneuvers, and that reputable medical journals criticize the Congress of the United States for the semiofficial recognition which they have

already given him. I was surprised and shocked when I saw that a Senate document had been printed on his alleged cure. Were it not that the incident was past and closed, I had intended calling the attention of the Senate to the gross impropriety of recognizing a questionable "cure" by an official advertisement of that character. This is not an occasion for maudlin sentiment; it is a practical proposition whether the lives of thousands of people may not be threatened by a "cure" which is purely based on quackery and fraud.

Mr. STONE. I should like to ask the Senator from New Jersey if Dr. Friedmann intends to charge \$25 for each treatment?

Mr. HUGHES. I have absolutely no information on that subject.

Mr. LODGE. Mr. President, I ask for the regular order.

Mr. HUGHES. I did not presume to ask Dr. Friedmann about that. I asked him if he would practice in the District of Columbia if given permission, and he said he would.

The VICE PRESIDENT. The regular order is demanded. If there be no further bills and joint resolutions, concurrent and other resolutions are in order.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. SMITH of Georgia submitted an amendment proposing to appropriate \$2,500 for the purchase of a library for the Federal prison at Atlanta, Ga., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. KENYON submitted an amendment proposing to appropriate \$200,000 due to the estates of deceased colored soldiers, sailors, and marines of the Civil War and which was in the hands of the Commissioner of the Freeman's Bureau and have been repaid into the Treasury of the United States, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. MYERS submitted an amendment proposing to increase the appropriation for support and civilization of the Indians at Fort Belknap Agency, Mont., including pay of employees, from \$20,000 to \$25,000, etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

#### HEARINGS BEFORE THE COMMITTEE ON WOMAN SUFFRAGE.

Mr. THOMAS. I offer the resolution which I send to the desk, and, if it is in order, I ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The Senator from Colorado submits a resolution and asks unanimous consent for its immediate consideration. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 55), as follows:

*Resolved*, That the Committee on Woman Suffrage, or any subcommittee thereof, be, and hereby is, authorized to send for persons and papers and to administer oaths, and to employ a stenographer to report such hearings as may be had in connection with any subject which may be pending before said committee, and to have the same printed for its use, the expenses thereof to be paid out of the contingent fund of the Senate, and that the said committee or any subcommittee thereof may sit during the sessions of the Senate.

The VICE PRESIDENT. Is there objection to the request of the Senator from Colorado for the immediate consideration of the resolution?

Mr. WARREN. Mr. President, I think the resolution under the law has to go to the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE PRESIDENT. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

#### ESTATE OF WILLIAM E. PRESSEY.

Mr. JOHNSON of Maine submitted the following resolution (S. Res. 56), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay out of the contingent fund of the Senate to the executor of the estate of William E. Pressey, late messenger at the card door of the Senate, a sum equal to six months' salary at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

#### AGRICULTURAL CREDIT AND LIVE-STOCK INSURANCE.

Mr. FLETCHER submitted the following resolution (S. Res. 52), which was read and, with the accompanying document, referred to the Committee on Printing:

*Resolved*, That the report to the British Board of Agriculture and Fisheries of an inquiry into agricultural credit and agricultural co-operation in Germany, with some notes on German live-stock insurance, by J. R. Cahill, which was presented to both Houses of Parliament of Great Britain, be printed as a Senate document, together with the accompanying illustrations and letter.

#### ASSISTANT CLERK TO COMMITTEE ON INTEROCEANIC CANALS.

Mr. O'GORMAN submitted the following resolution (S. Res. 57), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Committee on Interoceanic Canals is hereby authorized to employ one assistant clerk, at \$1,800 per annum, to be paid from "miscellaneous items" of the contingent fund of the Senate until otherwise provided for by law.

#### AVENUE OF THE PRESIDENTS.

Mr. WILLIAMS submitted the following resolution (S. Res. 53), which was read and referred to the Committee on the District of Columbia:

*Resolved*, That the Committee on the District of Columbia be, and hereby is, empowered to investigate and report by what authority of law and under whose direction the name of Sixteenth Street was changed to Avenue of the Presidents.

#### HEARINGS BEFORE THE COMMITTEE ON TERRITORIES.

Mr. PITTMAN submitted the following resolution (S. Res. 54), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Committee on Territories, or any subcommittee thereof, be authorized during the Sixty-third Congress to send for persons and papers and to administer oaths, and to employ a stenographer to report such hearings as may be had in connection with any subject which may be pending before said committee and to have the same printed for its use, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions of the Senate.

#### AMENDMENT OF ANTITRUST ACT.

Mr. THOMAS. I desire to give notice that on Monday next, at the close of the routine morning business, I shall address the Senate upon the bill (S. 112) to restore section 1 of the act of Congress of July 2, 1890, chapter 647, Twenty-sixth Statutes at Large, to its original form as enacted, by striking out the words "unreasonable or undue," inserted therein by a decision of the Supreme Court of the United States.

#### CONFERENCE REPORTS ON TARIFF MEASURES.

Mr. CUMMINS. Mr. President, I offer the resolution attached to the notice I gave on Tuesday last and ask that it be referred to the Committee on Rules. I had intended to submit some observations with it; but in view of the great delay which the Senator from California has suffered, I will not do so, but ask its immediate reference to the committee.

The resolution (S. Res. 43) was referred to the Committee on Rules, and is as follows:

*Resolved*, That there shall be added as one of the standing rules of the Senate the following, to wit:

"When the report of a conference committee upon the disagreeing votes of the two Houses upon a bill proposing to change duties upon imports from a foreign country into the United States is under consideration by the Senate there shall be, upon the request of any Senator, a separate vote on any point or item of disagreement concerning which there is a recommendation that the Senate recede in whole or in part."

#### PROPOSED LEGISLATIVE PROGRAM.

Mr. NEWLANDS. Mr. President, it was my desire to continue the discussion of the report of the Committee on Rules regarding a legislative program. I understand that the Senator from California [Mr. WORKS] has given notice that he will address the Senate to-day. I will ask the Senator from California whether it would meet his convenience if I should conclude my remarks regarding the report of the Committee on Rules now or defer them until after his remarks?

Mr. WORKS. I should be greatly obliged to the Senator from Nevada if he would defer until I have submitted some remarks of which I gave notice.

Mr. NEWLANDS. Then, Mr. President, at the conclusion of the remarks of the Senator from California I shall take up the discussion of the report of the Committee on Rules on a proposed legislative program.

Mr. SMOOT. Mr. President, I should like to ask the Senator from Nevada whether he intends to ask any action upon that report to-day. I do this because a number of Senators might leave the Chamber, thinking that there would be no other business attended to.

Mr. NEWLANDS. I do not know whether I shall ask action or not. The probability is that I shall.

Mr. SMOOT. Then, Mr. President, if action is going to be asked upon this matter, I object to it, because I want it to go to the calendar.

The VICE PRESIDENT. There being objection, the report goes to the calendar.

Mr. SMOOT. I shall object to the consideration of the report, and let it go to the calendar, if the Senator is going to ask for action upon it to-day. I have no desire to stop the Senator from speaking upon it, but I certainly do not want any action taken upon it to-day.



Mr. NEWLANDS. Mr. President, I will defer taking up this matter until the conclusion of the remarks of the Senator from California. Meanwhile I shall consider as to my course of action regarding it.

Mr. NEWLANDS subsequently said: I desire to give notice that on Monday next, during the morning hour, I shall address the Senate on the resolution (S. Res. 4) providing for a legislative program during the extra session.

ADJOURNMENT UNTIL MONDAY.

Mr. KERN. Mr. President, I move that when the Senate adjourns to-day it shall be until Monday next at 12 o'clock meridian.

The motion was agreed to.

#### PUBLICATION OF CRIMES AND ACCIDENTS.

Mr. WORKS. Mr. President, I ask that Senate bill No. 496 be read and laid before the Senate for discussion.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read the bill (S. 496) making it unlawful to publish details of crimes and accidents in the District of Columbia, and for other purposes, introduced by Mr. WORKS April 8, 1913, as follows:

*Be it enacted, etc.,* That it shall be unlawful for any person, corporation, or association to print or publish in any newspaper or other publication in the District of Columbia an account of any murder, or alleged murder, or any other actual or alleged crime, suicide, or other accident, injury, or tragedy of any kind wherever the same may have been committed or happened, or alleged to have been committed or happened, other than a mere statement of the fact that such a crime, tragedy, or accident has happened or is alleged to have happened, without details or comments of any kind with respect to such crime, accident, or tragedy, or in respect of, or about, any person connected with or related to or alleged to be or to have been connected with or related to the same.

Sec. 2. That any person, corporation, or association who shall violate any of the provisions of this act shall be guilty of a misdemeanor and shall be fined not less than \$500 nor more than \$5,000, to which may be added imprisonment in the District Jail or Workhouse for not exceeding one year.

Mr. WORKS. Mr. President, during the first session of the last Congress I introduced a bill, Senate No. 3221, making it unlawful to publish in the District of Columbia details of crimes, accidents, and tragedies. The bill was not pressed by me for consideration by the Committee on the District of Columbia, to which it was referred, and was not acted upon. I have again introduced it at this session.

That something should be done to elevate the standard of journalism in this respect in this country, not only in the public interest but in the interest of the great profession of journalism itself, must be obvious to all observant and discriminating people. I have introduced this bill as one means of attracting public attention to the evils growing out of the indiscriminate publication of information that is detrimental to the morals of the people, distracting and fear inspiring in its tendencies, degrading to the journalistic profession, and in every way poisonous and deleterious in its effects both upon publishers and readers of it. This is one phase of the subject to which I desire to attract the attention of the Senate and the country. Another phase of newspaper work that should challenge attention, by the mere mention of it, is the well-known want of reliability of journalistic news and information.

What I am about to say is not inspired by any sense of ill will toward newspapers or their reporters or publishers. I have no personal grievances against either. I have had my share of misrepresentation and abuse from newspapers, but I am glad to say that it has left in my mind no sense of malice, hatred, or desire to reciprocate in kind. I take it that if a newspaper misrepresents or unjustly assails me it can do me no harm, and that if it tells the truth about me I have no reason to complain. So I am not at war with any publication. What I have to say is not in any sense directed at individuals. It is intended to assail a custom that has grown up of publishing objectionable matter in newspapers and other publications and to call for relief from conditions resulting from such journalism. In this effort I should have the support of all high-minded newspaper men who have right ideals of the duty they owe to themselves and their country. Indeed, I know there are newspaper men who are doing a much greater work for the advancement and elevation of their profession in this respect than I can do by anything I may say here to-day—much more than can be done by any law or laws that can be enacted by State or Nation in the endeavor to suppress objectionable publications. It is to that higher class of journalists that we must look for the ultimate remedy for these evils.

The newspaper is a great and powerful influence in a free country like ours, where the press is free and untrammelled. That influence may work for good or evil. The publisher of a newspaper takes upon himself responsibilities of the highest

order. He may make his publication an influence and support for the very best in private and public life. It finds its way into the homes of the people and may be an inspiration and uplift that can do more than almost any other force to purify thought, elevate manhood and womanhood, direct the steps of the young to a higher standard of purity and righteousness, elevate citizenship, inspire young and old to a better understanding of the obligations of citizenship in a free Republic like ours, and a higher and more unselfish patriotism. Such should be the mission of every publication.

That some of our newspaper men are not living up to this high ideal of true journalism none, I believe, will be more ready to admit than journalists themselves, and none, I am very sure, would be better pleased than they to remedy the evils that have resulted from a departure from the higher standard.

Mr. President, I noticed with some interest the comments that were made by the newspapers upon the bill introduced by me. Most of them, I think, were inclined to treat it lightly. Some of them were disposed to treat it as a joke while kindly commiserating its author. Still others went beyond the mere terms of the bill and treated seriously the broad questions to which it at least attracted attention.

I do not wonder that the bill should have excited the ridicule of the man who looked upon it as nothing more than an attempt to check, by law, the publication of such objectionable matter as is mentioned in it. No one realizes more fully than I do that without the help of the newspaper workers themselves such legislation as this bill proposes will be futile as a means of accomplishing the beneficial results its author has in mind. Newspapers are published for profit. They will print what their readers want and will pay for. With altogether too many of them it is a purely commercial question. So regarded, it is only a question whether a paper which publishes such matter as this bill proposes to prohibit is a better seller and will secure a wider circulation and more advertisements than one that publishes only legitimate news.

Whether people do want this kind of news or not is one of the questions to be considered, looking at journalism as nothing higher than a means of making money. Newspaper men maintain that they furnish this kind of news because the people want it and will have it, and therefore it is the only way of maintaining their publications on a paying basis. If this is true, it is certainly a melancholy fact. If it is untrue, it is a grave charge to make against the American people. Undoubtedly it is true of some people. But I am convinced that the masses of the people who support the newspapers would prefer to have such news omitted and many people do not read the newspapers and exclude them from their homes because of this objectionable matter.

But, assuming that the greater number of people really want their papers to publish such stuff, who is responsible for this depraved appetite for deleterious and hurtful news? The men who publish the newspapers should seriously ask themselves that question and act accordingly. I know, Mr. President, that all these things are matters of dispute. They may well be so, because neither the one assertion nor the other respecting them is susceptible of proof. They are almost entirely matters of speculation.

In the consideration of this question we will have to distinguish between the legal question of privilege or the liability to individuals for false publications and that of the publication of matter which is objectionable because of its tendency to poison the minds of the public, whether true or false, or generally deleterious news unfit or injurious in its character. In order that I may be better understood, let me point out some of the publications that should be suppressed by law. Chief of these is the publication of the details of crime. If a crime is committed anywhere in the country, it is published with greater or less particularity and detail in every town where a newspaper is printed. The more horrible and atrocious the crime the greater the space given to it and the more specific and minute the details that are given. This so-called news, that should on every account be suppressed, is spread before the readers of the newspapers all over the country with flaunting and alluring headlines to attract attention. It is read by millions of people, young and old alike. But, unfortunately, it does not stop there. The lives of the participants in the crime, both the perpetrator of it and his victim, are laid bare to the world. It is not confined, either, to the immediate parties concerned, but their innocent and stricken friends and relatives are hunted down, and the alleged history of their lives, more often than not false and distorted, is given out to the world. This seems to be a particularly attractive field for the average newspaper correspondent if anyone remotely connected with the unfortunate affair happens to be a man or woman of promi-



nence and well known to the public. It gives spice and interest to a "story" that should never be told and advertises the newspaper as one of great enterprise. The sensational newspaper, of which there are altogether too many, "features" this kind of news and congratulates itself on the opportunity that a dreadful crime or fearful accident gives it to exploit its unparalleled facilities for gathering the news and its unequalled enterprise in furnishing it to its readers. It boasts that it spares no expense in its efforts to supply the public with what it assumes the people want.

A few instances will suffice to show the extent to which this effort to supply the morbid and criminal classes with news that panders to the taste for the horrible and immoral and makes more criminals and causes more crimes than almost any other influence has been carried.

We need not go back very far or very far away from the Capital of the Nation to find some of the most appalling instances of this kind of journalism. Something like a year ago a most atrocious and cruel murder was committed in the near-by State of Virginia. A young woman, married and belonging to a highly respectable family, was brutally murdered. Her young husband, who was out driving with her at the time she was shot, and who likewise was of good family, was soon suspected of the crime, was arrested, tried, and executed for the murder of his young wife. From the time the crime was committed until it was expiated by the life of its perpetrator, the news of the crime in all its details, the lives of the victim and her slayer, and those of their innocent and suffering relatives, near and distant, were published day after day for weeks. The papers, or most of them, were full of it. One would think that the bare statement of the facts would have been enough, but they were amplified and distorted, and alleged facts fabricated and sent out as the truth about it. The pictures of everybody concerned that could be obtained were printed over and over again. The infamy of the thing was enhanced in a way that should have aroused the indignation of all decent people. There was a woman in the case who had, it was claimed, broken up the home of this young couple and brought one to a tragic and the other to a felon's death. The details of this woman's life and her relations with the murderer were published and amplified upon and distorted. And to crown it all, the photographs of the wife, the mistress, and the husband and murderer were published together, the man appearing between the two. Could one conceive of a more brutal and inexcusable piece of so-called journalism than this? Think what it must have meant to the innocent and agonized parents of both the husband and the wife! I can not conceive of anything more fiendish and inhuman than this in the way of newspaper printing.

Mr. President, this is only a very imperfect description of the extent to which some newspapers went in this one instance. It does not half picture the extent to which the published news and fiction relating to it went, or the enormity of the offense against innocent people to whom the crime had brought sorrow and shame, or the injury that was done by poisoning the minds of the readers of these papers with their offensive and horrible recitals of a brutal crime and the immorality that preceded and brought it about.

This is only one out of thousands of like cases. It has been specifically mentioned here because of the flagrancy of the publications relating to it and because it took place so recently that it is fresh in the minds of newspaper readers. The crime was a most distressing one even to think about. The publication of the revolting details of all of the circumstances connected with it, paraded before the readers of such newspapers as made these publications, was most shocking.

The mere mention that such a crime had been committed was enough. To go further was an offense against the common rules of decency. It was calculated to arouse the worst passions of men. The reading of it could do no possible good. It was wholly inexcusable and revolting, looking at it from any point of view. If there is any real desire of any of the readers of the newspapers of this country to read such deleterious and offensive stuff, it should be one of the highest duties of a journalist not to feed any such morbid sense, but to correct it and suppress any such news as detrimental to health and morals and unfit to be published or read. No greater wrong can be done by a great newspaper than to pander to such an appetite and thus create and continue a demand for such news.

Mr. President, however serious such an offense may be as affecting the individual reader, it is even more serious as affecting the newspaper men who gather and publish such news. They live constantly in an atmosphere of crime and immorality. Their purpose is to trace down and send out to their fellow men the details of misconduct of every kind. They live in it, think about it, and give it out to others in all its horrible forms. Their

minds are filled with thoughts of immorality, crime, and human tragedies, misfortunes, and misery. The newspaper reporter must dive into this sea of crime and corruption and dress it in such form as to attract the readers of the paper. To make it attractive and readable he adds to the horrors of it, pads it with false and more attractive matter to render it more sensational. He haunts the homes of everybody connected with the crime, shadows them day after day, and publishes facts and falsehoods about them in order to embellish his "story" and make it still more attractive. The kodak man is his aid and abettor. What is lacking in the written story is made still more graphic and sensational by pictures of everybody connected with the crime. Reporters and kodak men thrust themselves into the privacy of the home, snap the unwary unawares, write up imaginary stories about people concerned or connected, directly or indirectly, with the crime—the innocent, suffering, and sorrowing along with the guilty. They seem to lose all sense of decency or of respect for the rights of others in their eager quest for what should be unreadable news and the desire to furnish copy for a newspaper that seems to have lost all sense of decency and propriety in its dealings with the affairs of other people, often of the most sacred kind.

Mr. President, what a life this is for any man to lead. It makes one shudder to think about it. And most of the men who are instrumental in this wholesale poisoning of the minds of our people are young men, often mere boys. It is appalling to think of such a school of vice, falsehood, and violation of the sacred rights of others. It can not but be degrading in the utmost degree. No man can live in such an atmosphere and not suffer from its poisonous impurities. He not only suffers from it himself, but he is constantly instilling it into the minds of others.

Mr. President, I have referred to one case merely as an illustration of the general course of journals that deal with such news. The papers are full of such matter day after day. Some of them feature it and make it chief among all others. Some publish the fact that a crime has been committed without embellishment or exaggeration. Such a course is to be highly commended. There are many just and high-minded journalists in this country who deprecate sensational and objectionable news as earnestly and as strongly as I do. They would rejoice to see a complete reform in this respect. To such as these the bill I have introduced would be welcome if it could be enforced. Its enforcement would depend largely upon the attitude of the newspapers toward legislation of this kind. That many journals deplore these methods and such news is evident from the sentiments they have expressed. Here is an editorial on the subject from one of the leading newspapers on the Pacific coast:

BARRER IN NEW YORK.

Moved by a proper regard for public decency and morality, the commissioner of licenses in New York City has notified the managers of the 600 or more moving-picture shows in that town that the Henry Clay Beattie case must not be made the subject of any of their exhibitions.

The prohibition was made complete. "No moving pictures or other views representing scenes from the trial of Henry Clay Beattie, Jr.; for the murder of his wife, or in any way connected with the case, are to be exhibited under penalty of the revocation of the license of the place in which they are shown. The action of the license commissioner was most commendable. He has made a wise use of the authority with which he is vested.

Morally speaking, the publication of all the wretched details of that crime is as indefensible as the exhibition of moving pictures purporting to portray them. Let offenders present such specious excuses as they will, setting forth the obligation that rest upon them to "print the news"—they are governed by greed, and to coin a profit do not hesitate to offend against decency. They pander to depraved tastes and instincts, being moved by their own cupidity and their pocket revenues, that are won at the cost of morality.

Inasmuch as there will always be publishers whose itch for gain and contempt for decency, left unrestricted, would lead them to pollute the public mind by magnifying and exploiting every story of hate and murder, lust and passion, it is probable that laws eventually must be enacted for the protection of the community. Offenders will loudly protest against an invasion of the freedom of the press, but freedom was never a warrant for license. Newspapers that print lottery advertisements are excluded from the mails, as are publications containing obscene pictures, but no one pretends that the freedom of the press has sustained any injury therefrom.

Similarly newspapers that convert themselves into gazettes of crime, that seize with eager haste on every salacious happening and exploit it to its last sensational detail, magnifying and emphasizing every disgusting obscenity and degenerate phase of abandoned life, should be debarred from the mails. Were they so debarred, the freedom of the press would suffer the least injury and the cause of morality would be immeasurably advantaged.

So far, Mr. President, I have spoken only of the publication of the details of crimes; but the manner of treating accidents is almost as bad. It is quite as bad in many if not most respects. Take the late disaster to the steamship *Titanic* as an example. It was an accident that cost many lives and brought sorrow to many homes in this country and beyond the sea. Before it was possible for anyone not on the ship to know anything more than the simple but appalling fact that the ship



had been lost the papers throughout the whole country were full of stories of the most sensational character about it—stories that were without foundation and wholly false. The truth of these stories, if they had, in fact, been true, could not have been known to the newspapers that gave them out. They were a horrible injustice and cruelty to the agonized friends and relatives who were waiting anxiously to know the truth, besides the false impressions made upon the minds of others that could never be erased. There could have been no object in all this other than to make money. Extras were put out almost hourly in all of the large cities containing these false and misleading stories that no doubt thousands of people who still have some faith in the correctness of news given out by the papers are still believing, some of them wholly unjust as well as misleading. But even this spurious matter, published as mere conjecture and speculation and without any knowledge of its truth, was not the worst. After the facts began to be known, and when some degree of accuracy was attainable, the unwarranted and wholly false stories manufactured for sensational effect continued to be published. One of the passengers on the ill-fated ship, who lived for some time after the disaster, declared long after all the stories about it had been published that most of them were false. These never have been and never will be corrected.

The extent to which many of the newspapers of the country are devoted to the publication of such hurtful stories as these, which can not justly be called news, is appalling to think about. In one issue of one of the papers published in this city about the time this bill was introduced by me appeared no less than 54 separate accounts of murders, suicides, accidents, and other tragedies happening all over the country. Most of them were occurrences in which none of the readers of this particular Journal could have any personal interest. Their publication could be justified or excused only on the ground that its readers want that kind of news. I give here the headlines appearing in this issue of the paper relating to each—not all the headlines, but only the first one or two in each case. In many cases there were others of a most startling kind, and the body of the articles published contained, in some instances, the most objectionable details of these occurrences. The principal headlines in the several cases are as follows:

Washington woman injured—Lies in hospital 36 hours before she is identified.

Shoots wife as burglar—Man probably fatally wounds mate, who closed window.

Shot down in own home—William Stewart killed by his guest during quarrel, police say.

Sees her sister shot—Wife is then felled with gun and husband flees—Posse on trail of fugitive—New York woman probably fatally wounded in family quarrel near Pocomoke City, Md.—Alleged assailant, brother of railway superintendent, may not be taken alive.

Slays brother with stone—Aged men fight to finish, ending 30-year feud.

Body of Merritt arrives—Battleship North Carolina brings victim of marine explosion.

Find loot in women's room—Police charge wholesale shoplifting in 12 different towns.

Offers to sell his tongue—Man in jail would aid girl hurt in auto crash.

Two children save her—Girl of 9 and boy of 10 rescue woman from drowning.

Sea victims' diary found—Messages carved on a hatch cover tell of agonies of castaways—Flotsam reports deaths of shipwrecked men and bears note of farewell to loved ones.

Tugboat is sunk by liner—Collision in East River cuts small craft in two.

Battle in Liverpool—Strikers, soldiers, and police fight for three hours—Succeed in moving supplies.

Falls from yacht; drowns—Arthur W. Yates strikes head on side of boat, then sinks.

Dig to save three in mine—Rescuers work frantically for freedom of comrades—Urged by faint tappings.

Knocks woman senseless—Mrs. C. Toney awakes to find burglar at bedside—Blow from negro follows—Robbed of \$37 she had under pillow—Whole police force after him.

Jealous; slays girl—W. H. Sabens kills woman who was to marry another—Shoots at self, but misses—Ada Haynes, 22 years old, had feared former sweetheart, her friends say, ever since she decided to wed New York man—Murderer is caught in Pennsylvania Avenue.

At 9 she is expert thief—Little dimpled girl picks 13 pockets in space of 2 hours.

Woman takes carbolic acid—Mrs. E. M. Frederer removed to hospital, and will recover, doctors say.

Waitress, 17, is missing—Sister of Miss Lucy Dillon asks police to try and find her.

Chase over three States ends—Ex-cashier charged with fraud is captured after week.

Not in a land deal—One Senator denies the tale two "promoters" tell—Detectives after the facts.

Mrs. Owen confident—Alleged kidnaper of Harris girl protests innocence.

Five cable workers perish—Boat is capsized in Frazee River by swift current.

Posse gives up man hunt—Day's hunt is fruitless—Victim of shooting near death.

Three slashed with razor—Two men may die of wounds inflicted during quarrel with merchant.

New scalp a failure—Miss Houghton must return to Emergency Hospital.

Man lost in Atlantic City—Claims to be brother of millionaire—Stays with police.

Hog tears his hand—Enraged animal severely injures man carrying it—Unusual case, doctors say.

Seeks daughter and man—Father asks police to find Florence Cochran and I. Leatherwood.

Beattie's trial near—Jury likely to be selected by end of this week—Inquiry to begin to-morrow.

Capt. Howard shoots self—Grandson of Revolutionary general not expected to live—Baltimore resident, a Confederate veteran, suffered from nervousness.

Shoots mother who rewed—Boy's bullets also wound a little Philadelphia girl.

Three men bitten by dog—Patrolmen kill animal after an exciting chase.

Bride of three days dead—Wife of Roanoke farmer stricken with fatal malady.

Run down by an auto.

Her tale reveals murder—Woman charges that companion was slain in mountains.

Launch sinks; 18 in peril—Officers and seamen of battleships have narrow escape.

Wife keeps hubby's date—With infant in one arm, she pummels rival at ferryhouse.

Shot dead in motor boat—Mysterious killing may have been caused by stray bullet.

Human chain saves three—Exhausted men rescued at Atlantic City by fellow bathers.

Burglars at Narragansett—J. W. Converse, of Philadelphia, robbed of \$700 while dining.

Lassos autos in street—Man tries out stage act, but is captured and tried.

Says captive shot keeper—Anonymous letter informs woman husband kidnaped—Missing man is alleged to have gone insane, killed member of band, and escaped.

Brother's blood fails to save him.

Boasts of jail escape—Policeman overhears William Douglas and re-arrests him—"I'd like to see any officer get me again," his last words while free.

His head in the mail—Midhat Pasha slain, and letter says at late Sultan's order.

Explain loss of memory—Malady due, London doctors say, to strain of modern life.

Shields slayer as he dies—Abbe Guibault shot down in his home in France—Mystery surrounds murder which the victim could but would not explain—Neighbor's gun used.

Mystery in beauty's death—Inquiry may be made concerning Mlle. Lantelme's drowning.

Girl tries to bury herself—Broken hearted because lover rejected her after tramping 200 miles.

Dead from explosion of engine boiler.

Think of such a collection of crimes, immoralities, scandals, and terrible accidents being served up to its readers by a newspaper in one of its issues. And this issue was by no means an exceptional one of this or other newspapers, some of them regarded as among the leading journals of the country. People who read the newspapers are served with such shocking and degrading matter in every issue of the paper that comes daily into their homes. In some there are more and some less than the number given above, but the one I have taken as an example presents a fair average of impure and otherwise objectionable news items of the metropolitan journal of the time.

Mr. President, time will not permit me to go into the details of such offenses of the newspapers against the rules of decency and propriety. It is unnecessary. They are known to every newspaper reader. They are the subject of very general unfavorable comment on the part of respectable people, who feel that they must read the papers in order to keep up with the times. Such readers do not read these objectionable articles, but in trying to sort out the legitimate news they can not escape the glaring and offensive headlines that precede such matter, and it is next to impossible to keep them from the younger members of the family who do not realize, as they do, the dangerous and poisonous nature of such news.

The feeling against such publications was strongly expressed in a letter of December 13, 1908, addressed to the newspapers of New York City, signed by men of standing and prominence, in which it was said:

The aim of securing newspapers for our homes which shall at all times be free from lewd or suggestive articles detrimental to morals, offensive to decency, and damaging to self-respect is one which all admit to be desirable. Some might perhaps say that it is possible to enjoy it at all times by simply buying only good newspapers. But, unfortunately, there come periods when overweening public interest and unworthy public curiosity provoke the editors of even some of the best of our journals to overstep the mark and to lay before us and the modest home circle, including the tender children of the schools, libidinous details of criminality which are revolting even to men charged with the punishment of those who prey upon society. We attempt to escape it and close our door to it for a short period, only to find that to keep in touch with our usual social or business needs we must continue our patronage of a journal which we are ashamed to bring home. Then our school children or others must have the objectionable articles and detestable headlines thrust upon their sight in the public conveyances or other places. Each editor escapes censure by claiming that all his brother editors will surely present the same matter, and he can not be exceptional.

The community—all communities—were shocked by the long-continued revelations of the Thaw case, set forth in bold type. We are now promised another of similar character by reason of the approach of certain sensational murder trials, during the course of which, as we have been credibly informed, material more interesting to the prurient mind, and consequently more dangerous to the home and more disgusting to the self-respecting man, is about to be presented in court.



It is believed by good authorities that a respectful protest presented early enough to the press by men of serious character, representing heavy responsibilities in the care of their own children or children confided to them by the duties of their positions in life, will meet with an immediate and sympathetic response, resulting in such careful editing of this and similar news matter that no harm shall be done to the reading community by indecently offensive suggestion.

It is felt that with such views support will be obtained throughout the whole country. Several editors have already expressed their intention of observing even greater care than in the past over news matter of this kind in their columns. You are therefore asked to give this movement your editorial support.

Mr. President, there is another phase of the question I am discussing, but not covered by the bill, that calls for serious consideration and unqualified condemnation, and that is the unreliability of the newspapers, their misrepresentations, unjust coloring of alleged news, the faking or manufacturing of accounts of events or alleged events, and the like. Nothing connected with newspaper work has done more than this to lose the papers the confidence of the public and destroy their influence. The inaccuracy of newspaper accounts of proceedings of public bodies and the acts and sayings of men in public life has become proverbial. The public is constantly misinformed and deceived and public men misrepresented, their positions on public questions misstated, often willfully and maliciously, and accounts given as actual occurrences that never took place, but have been concocted as a readable story that may be interesting as fiction. Unfortunately it is not published as fiction but as fact, and often about public matters of grave importance. Such journalism is a violation of the duty a newspaper owes to its readers. It is continuously and persistently deceiving the people who pay for it on its implied obligation to supply them with the news, with facts and not fiction wrongfully put out as facts. It is a grave wrong to the individual who is misrepresented, misquoted, and often persistently and willfully put in the wrong without reason or excuse. An aggravated case of this kind of unreliable and unfair journalism may be found in what the newspapers printed about the pretended make-up of the Cabinet of the newly elected President of the United States. Men were named with perfect assurance as being decided upon as members of the Cabinet, and conversations and consultations between the President elect and his alleged advisers and what had been said about supposed aspirants for these high places, good and bad, were given day after day, as if the newspaper writers had been present and heard what was said. Of course people who knew what was going on understood that all of these publications were purely imaginary and without foundation in fact, but many readers did not, and took them seriously. But the fact that such publications are false is not the worst of it. Sometimes they are willfully and maliciously false. In other cases they are intended to be embarrassing to public men written about, and often have that effect and do great injustice.

But, Mr. President, this is only one instance out of hundreds where many newspapers are reckless, insincere, untruthful, and wholly unreliable. They have suffered greatly from this manner of dealing with the public and with public affairs. They have lost the confidence and very generally the respect of their readers. Journalism, which should be one of the highest and most trusted professions, has suffered immensely in public esteem from this character of journalism on the part of some of its members. Men in public life are misrepresented and misquoted habitually by some newspaper writers; the facts about public questions are distorted, colored, and often misstated; the reading public is deceived and misled about public affairs and public men, and if such papers were believed the most serious results might follow from such unreliable and mendacious journalism.

Mr. President, I am glad to say that the better class of journalists do not approve of this kind of so-called journalism and are striving to protect their profession and their newspapers from its blighting effect. Here is an evidence of it taken from one journal which condemns it in unmeasured terms:

In these days of competitive sensationalism in the newspaper field it sometimes seems as if all consideration for the home life of the people has been lost sight of in the efforts made by the newspapers to outdo each other in reporting the scandalous and salacious details of some case which happens to be on trial or in the exploitation of some crime that has been committed. Because we are condemning the evil itself rather than the persons concerned, we refrain from mentioning the name of any city or paper; but it is to be deplored that such a condition seems to exist in one of our principal cities at the present time, and the only excuse offered in defense of it is that the publishers believe their patrons desire to read such stuff. This, however, is scarcely to be considered flattering to the community as a whole, and in proof that the desire for "news" of this kind is not unanimous, in this particular city at least, we quote the following resolutions, which were adopted by one of its leading women's clubs, and all other women's clubs were asked to indorse:

"Whereas certain daily papers in this city are continually giving in revolting detail the accounts of crimes and scandals, setting forth the same in the most conspicuous manner; and

"Whereas if these papers are received into our homes, the filthy and demoralizing news above referred to must come under the eyes of our children; Therefore be it

"Resolved by the Home Study Club, That we protest against the moral wrong being done our children, ourselves, and the whole city by the debased journalistic ideals at present dominating the publishers of these papers, and we ask that they who are responsible for the publication of such news as is suggestive of evil and demoralizing to all who read it adopt a higher standard of morality and decency for their papers, if they hope to have them remain in our homes."

In addition to this courteous yet emphatic protest, the matter has been taken up by some of the ministers of the city, one of whom said from his pulpit:

"How are you and I going to protect the minds and morals of our growing boys and girls if we put that sort of thing within their reach? We all remember what earnest objections our people made to our reading the old yellow dime novels when we were young, and if we will stop a moment to consider the psychology of the thing we will see how much worse it is to give our children daily access to the most degrading facts of actual life as published by these newspapers. If you have any doubt on this point, just stop for a moment and ask yourself what you would think of me if I were to gather your boys and girls together and put such stuff into their hands as fit literature for them to read."

"When we criticize the newspapers for these things we are constantly reminded that they are commercial enterprises and must give the people what they want in order to command circulation. Since that is the case, Christian men and women can best impress the newspapers with what they want by some form of commercial treatment. Many of you men are patrons of the advertising columns of these newspapers; and if you see fit to do so you can very quickly let the publishers know what your disapproval of their news columns means, for it is the publishers who are directly responsible for the present situation. By refusing to read their papers as long as they follow their present policy, and by refusing to patronize them, you can make the most effective protest against this kind of journalism."

In common justice, however, it should be stated that one of the newspapers of the city, a paper which had the courage to announce in a recent issue that at the expiration of existing contracts no more advertisements of beer, liquor, or cigarettes would be accepted, in commenting on these protests says:

"Nor do these public protests reflect in full the disgust of many thousands of respectable citizens who give vent to their feelings in private conversation whenever the press is mentioned. Yet these people are not seeking a quarrel with the press out of hand. Many of them entertain a mystic fear of newspapers; some of them cling to a faith in the moral integrity of the press that amounts to a childlike affection. Nor do they ask that legitimate news be suppressed. They only ask that the news be presented in such form that it will not corrupt the young nor spread crime and immorality among the ignorant."

"Under sufficient pressure we think the newspapers will come to that way of handling news; and that pressure will be sufficient when the people who demand clean journalism can demonstrate to the newspapers that they are better worth considering than the people who demand unclean journalism. An 'epidemic of crime' is in the first instance largely an epidemic of the bespangled and bejeweled publicity of crime."

Nor should it be inferred, in citing the conditions which prevail in this particular section, that it is by any means an isolated instance. It is unfortunate that this pandering to morbid and vicious tastes is so nearly universal that anything in the way of protest stands out in vivid contrast. For instance, a prominent metropolitan newspaper had this to say about a recent murder case which was largely exploited by the press:

"The mushy sentimentality of which this case has furnished a somewhat extreme illustration is a more serious element in our national life than most people realize. In the matter of homicide itself we have no doubt that it constitutes one of the chief reasons of our country's most unenviable prominence. \* \* \* No sooner does a case figure conspicuously in the newspapers than it is turned over in every conceivable way on its sentimental side, and the monstrosity of the crime lost sight of in the 'human interest' of the criminal. The wrecker of banks is a staunch comrade and a dead-game sport; the wife murderer is not half bad when you get to know him."

The time was when space in newspapers was too valuable for anything save the most important news and that briefly told, but the lessened cost of production that has made possible the modern newspaper at a popular price has not worked altogether for the good of the public; the choice of reading matter wherewith to fill its columns has not always been wisely made, and this evil has grown with the years.

Another leading newspaper, in commenting on the bill introduced by me, has this to say:

No one deplotes more sincerely the frequency of crime than the conscientious publishers of first-class newspapers or regrets the necessity of the constantly recurring publications of descriptions of these events. It may be that there are newspapers that take pleasure in killings and other forms of crime for the sake of the appeal to the morbid minds of those who delight in narrations of tragedy, but the general run of American newspapers can not be so classed.

The term "general run of American newspapers" used by this editorial writer is rather indefinite. And the guarded statement that it may be that there are newspapers that "take pleasure" in publishing the details of crimes is significant and wholly fails to meet the evil of which I am complaining. It is not alone the newspapers that "take pleasure" in it that publish such objectionable news. Many of them publish it against their judgment and sense of right and decency and only because of their belief that the people want it, and to make money. Such newspapers are the most dangerous of all. They are generally publications of standing and a degree of influence. They join with the sensational and distrusted newspapers in these publications and thus give them an appearance of respectability and proper journalism that they do not deserve. Such journals if they should leave such publications to newspapers known to belong to the class designated "sensational," could do much to break up this custom of printing such news and advance the interest and elevate the standard of their profession immeasurably.



It is not alone the better class of journalists and newspapers that are endeavoring to protect themselves from such violations of the rules of true journalism, but the people generally are rebelling against and denouncing it, and many civic organizations are entering their protest against it in the interest of morality and civic righteousness.

The National Ethical Press Association in a letter on the subject has this to say:

This association was formed with the object of promoting clean journalism and the cause of newspapers which strive to publish unbiased news. In our first effort to interest public servants in our work—in an effort to induce them to see that there is a legislative power which can be used to protect the public—we addressed a special committee of the Legislature of Illinois, and later the members of the legislature itself.

The particular point we tried to make was that a certain class of newspapers now published in this country were not giving either the public or public servants a just deal through the manner in which the present important and official news is published.

Later we addressed the Subcommittee of Privileges and Elections of your body and after that the full committee, sending to them copies of our correspondence and arguments presented to the Illinois Legislature.

There is a popular demand throughout the Nation, among private citizens as well as public men, for authentic, uncolored information as to public affairs. The people wish to read unbiased news as to matters of Government, which directly affect their daily life. This demand is based upon the fact that many of our leading newspapers, not all, print official proceedings of the Government, of State legislatures, and municipal bodies, not as those proceedings actually take place, but distorted, discolored, to suit the private ends of the publishers.

The Council of Jewish Women have appointed a national committee on purity of the press. In a circular issued by this committee it is said:

At the triennial convention of 1908 this department was formally recognized as one of the activities of the council.

Our protest against the publication of indecent, criminal, sensational, and otherwise objectionable news matter as presented in the circular letter appended has received many endorsements alike from individuals and organizations. Many have expressed their appreciation of our having started a campaign for a cleaner journalism and have promised cooperation. Many articles and editorials have appeared commenting strongly on the evils of the modern press. Thus do we observe that the necessity for this work we have initiated is rapidly becoming apparent to thinking people. As newspapers are widely circulated, the influence of our work will reach beyond the bounds of any one locality.

As it is only through concerted action that a strong public opinion can be formed, we appeal to all sections to take an active interest in this prophylactic work, aiming as it does, to prevent the continuance and further extension of a harmful practice and its consequence. Since editors claim that they merely supply the demand of their readers, it devolves upon us to create a strong public sentiment for a cleaner journalism.

One of the good women connected with this work wrote me soon after I introduced the bill under discussion, as follows:

I was delighted to see in last night's Star that you had introduced a bill for "Suppressing the publication of crime in the newspapers." It is a subject in which I am much interested, upon which I have written and thought—hopelessly—for months. I belong to the "Council of Jewish Women." Am chairman of the local section on "Purity of the press." If our society can in any way aid your efforts at reform in the daily and weekly papers that publish so much that is pernicious to the rising generation, I would be most happy to aid you to the extent of our power.

In some of the States statutes have been enacted to meet this growing evil. The following act passed by the Legislature of Indiana is a fair sample of the efforts made in that way:

An act prohibiting the publication or sale of pernicious literature, and providing for punishment for the violation of the same.

SECTION 1. Be it enacted by the General Assembly of the State of Indiana, That it shall be unlawful for any person to sell, or offer for sale, or to print or publish, or to bring into this State for the purpose of selling, giving away, or otherwise disposing of, or to circulate in any way, any paper, book, or periodical, the chief feature or characteristic of which is the record of the commission of crime, or to display by cut or illustration crimes committed, or the acts or pictures of criminals, desperadoes, or of men or women in lewd and unbecoming positions or improper dress.

Sec. 2. That any person guilty of violation of this act shall be fined not less than \$10 and not more than \$200.

Missouri and Kansas have similar statutes.

Now, Mr. President, what is the remedy for this evil that is poisoning the minds of the readers of the newspapers, contaminating the atmosphere with its impurities, and leading the young into lives of immorality and crime by its attractive and misleading suggestions? The one effective and sure remedy lies with journalists and newspaper publishers themselves. They can, if they will, so discountenance and condemn such unworthy and hurtful journalism and stand for clean and reliable effort, by both precept and example, that the practice will soon be made so odious that such newspapers will not be read and will not pay. Another remedy rests in the hands of the readers of such newspapers. If the men and women who really believe in clean, reliable, and respectable journalism only had the moral courage to refuse to read such newspapers, or to advertise in them, this would have the same effect. But this can not be done by one or a few persons here and there. It must be a concerted effort by the many. If the various organizations that are

opposing impure journalism would only induce their own members to take this stand and abide by it, the good work would be commenced in an effective way. Besides the impression it would have on unworthy newspapers, it would be an example and an education to others who are protesting against the kind of news they are getting through so many of the newspapers.

Still another remedy is by the enactment of laws forbidding such publications under penalty. Any such effort meets at once the cry that it is in violation of the Constitution of the United States. The Constitution provides:

Congress shall make no law \* \* \* abridging the freedom of speech or of the press.

This provision of the Constitution should be so construed as to give full effect to its terms. The freedom to speak and write one's views on any and every subject, especially subjects affecting the public welfare, should be carefully and effectually preserved and protected. This is a privilege that should be held sacred in a country like ours. But there are other rights and privileges on the part of the public that should be just as sacredly observed and as carefully protected. So the real question is, How far can an individual newspaper trespass upon the rights and liberties of the public and claim immunity under this provision of the Constitution? As it affects the individual who is unjustly assailed by a newspaper he has his remedy at law in an action for damages, which may be regarded as sufficient remedy for the wrong done him. But when publications are detrimental to the public in general, as in the cases I have been considering, the question is an altogether different one. Can the Constitution be so construed as to protect a newspaper that habitually publishes obscene and other matter detrimental to the public morals and tending to make criminals and incite to crime? Is it an abridgment of the liberty of a newspaper to forbid it to publish such stuff?

The Government has gone so far as to prohibit the sending of such matter through the mails, and this law has been enforced in many cases. Of course, this is not to prohibit the publication, but in most cases it has that effect. Besides, to prohibit the sending of a newspaper containing such news through the mail is to abridge the freedom of publication.

It is well for the liberty of the people that censorship of the press is no longer allowed in this country. It was this that the Constitution was intended to prevent. But to censor the press and thereby say what shall and what shall not be published is one thing, and to make one responsible for a violation of the privilege thus secured to him is quite another thing. The very fact that the right to publish what one pleases without abridgment exists is the strongest possible reason for making the publishers of news liable for abusing their right and privilege. This liability has always been recognized and enforced. The newspaper may publish what it pleases about an individual, but if its publication is false and injurious it is liable both civilly and criminally. This no one will deny. And, sir, I maintain that if a newspaper publishes matter that is deleterious and poisonous to the minds of its readers, thus violating the rules of good morals and decency, it should be made criminally liable for this offense, an offense far more important and hurtful than the libel of the individual and upon precisely the same principle. There should be this difference, however: Proof of the truth of the matter is always a defense to an action for libel by the individual. It should not be so in all cases, where the prosecution is for publishing any matter injurious to health or morals or against public policy. Often a publication of the truth may be more injurious and more reprehensible than that of falsehood or fiction.

Mr. President, this brings us face to face with the great question of the police power of a State and the extent to which that power may be enforced to protect the public. It is a broad field. It has given rise to much important litigation and hundreds of decisions, many of them at variance with each other. As to the general scope of the power, Mr. Freund has this to say in his work on Police Power:

That freedom of speech and press does not mean freedom from responsibility for the abuse of that freedom appears not only from the history of the right but from express constitutional provisions to that effect. Above all, the constitutions do not legalize libel and slander of other persons, against which the remedies provided for by the common law may be applied. So, also, there is no doubt that speech and press may not be used to corrupt public morals, and obscene or profane utterances by word of mouth, in writing, or in print may be made punishable offenses. In Missouri and Kansas statutes have been upheld punishing the sale of newspapers largely devoted to the publication of scandal, lechery, and immoral conduct.

For some unaccountable reason the notion prevails that greater latitude is given a newspaper than any other vehicle for conveying information without responsibility for what it says. This claim was put at rest by an early case in New York, reported in Second Hill, at page 513. In response to a claim of



this kind in defense of the editor of a newspaper, the court said:

We were also told that if the law were not thus indulgent some legislative relief might become necessary for the protection of this class of citizens. Undoubtedly if it be desirable to pamper a depraved public appetite or taste, if there be any such, by the republication of all the falsehoods and calumnies upon private character that may find their way into the press—to give encouragement to the widest possible circulation of these vile and defamatory publications by protecting the retailers of them—some legislative interference will be necessary, for no countenance can be found for the irresponsibility claimed in the common law. That reprobates the libeler, whether author or publisher, and subjects him to both civil and criminal responsibility. His offense is there ranked with that of the receiver of stolen goods, the perjurer and suborner of perjury, the disturber of the public peace, the conspirator, and other offenders of like character.

Objectionable exhibitions by means of moving pictures are not only subject to prosecution, but they are rigidly censored and suppressed. While the newspapers were publishing the shocking and otherwise objectionable details of the celebrated Beattie murder case and illustrating them with photographs and pictures, the proprietors of moving-picture shows were, in many cities, expressly forbidden to exhibit pictures of the very same things. No one seemed to doubt either the power to suppress such exhibitions by these places or the wisdom or propriety of it. In fact, the course taken was very generally commended, and for good reason. But at the same time the newspapers of the country were allowed, without molestation, to do the very same thing in a much more injurious way and to the detriment of millions more people.

The question naturally arises whether such publications as I have been talking about are so injurious and hurtful as to warrant the interference of the lawmaking power to prevent them. A very interesting dissertation on this subject will be found in a little book by Frances Fenton entitled "The influence of newspaper presentations upon the growth of crime and other antisocial activity." The author undertakes, in a systematic way, to show the percentage of newspaper space given to objectionable news, the character of it, and its effect by evil suggestion, and otherwise, upon crime and criminals and public morals, and concludes with these general observations on the subject:

### III. RECOMMENDATIONS FOR CHANGES OF THE NEWSPAPER.

1. The newspaper is a tremendous influence in the community. Its stimuli reach an enormous number of persons and reach them frequently and insistently. It should, therefore, be an educative and dependable medium. Its possible educative value has scarcely been realized. Suggestive antisocial matter should be excluded from it. This does not mean that all mention of antisocial matters should be excluded. It is desirable that the public should be informed on all matters which they can assist in improving. But the news which gives them the information should not be couched in terms or presented in forms and details which make it criminally suggestive or factually misleading. It is possible to deal with antisocial matters in such a manner as to minimize the possibility of suggestion to antisocial activity by confining the treatment to bare statements of fact by selecting such facts only as are necessary to constructive action in the matter. It is likewise possible to use all of the media which contribute so largely to antisocial results in gaining increased social results. Many of these methods constitute a technique ready-made for educative purposes. Large type, vivid and picturesque writing, illustrations, colored type, diagrams, etc., are just as easily the media of social as of antisocial suggestion, and when the content conveyed by them is of a social character they are indispensable for readers who are fatigued or who read in poor light.

2. There are, however, strong forces working against such changes as have been suggested at the present time. Commercial influences operating upon the policy of newspapers serve to suppress facts important to the public. Any accident, theft, crime, which is likely to react unfavorably on the buying public is not coupled with the name of the firm with whom it occurs. For example, if an accident occurs in a State Street department store in Chicago, whether due to fault of the company or to some other cause, the newspapers do not mention specifically where it occurred, because such mention hurts the store's trade.

The newspaper is also accustomed to play up or distort facts when such a course pays. An example of this is to be found in the fact that while the opera Salome was under fire in Chicago and not yet suspended some of the Chicago papers, and likewise Cleveland papers (for which city the opera was booked after Chicago), took the side of the opera and minimized its suggestiveness.

The fact that the newspapers work for a margin of sales also strongly influences their policy in printing antisocial matter. There is a circulation which can be pretty definitely counted upon, i. e., a certain number of people buy papers constantly for the news, regardless of the content. Beyond this, featuring, doctoring, and faking draw a wide circle of buyers who would not otherwise be attracted. For example, the sporting section is usually printed on colored paper and placed on the outside of the evening paper for the purpose of attracting this margin of sales among a class who are not generally interested in the political and social news of the day. Likewise there are girls who would not buy a conservatively gotten-up paper, i. e., one dealing with the essential and standard facts of life presented in an uncolored and dependable manner, who will buy a copy which bears the caption in large red type, *Turns revolver upon woman—Shoots self*.

In short, advertising columns and pecuniary reward muzzle the news columns and distort and color the facts which they contain, thus destroying their accuracy and utility and leading to antisocial presentations. When any argument is made for the control of newspaper presentations, however, it is met by the time-honored appeal to freedom of discussion. But, as an answer to this appeal, it should be remembered (1) that, as a matter of fact, the public does not get freedom of discussion in the newspaper. It gets discussion which is strictly censored in the ways mentioned above, in large part by special interests

and the desire for gains at the cost of the public; and (2), that as a principle freedom of discussion is useful and desirable only when it secures advantageous social results. Freedom of discussion apart from its results is not in itself a worthy end.

(3) Endowed and public-owned newspapers have been proposed as remedies for the present evils springing from a system of private-owned newspapers. While public-owned newspapers might secure the kind of news which is desirable—at least in some respects—they are such a far-off contingency that it is more practical to consider proposals which can be put into operation more quickly. The endowed newspaper, as an adequate solution of the problem, is at present as impracticable as the public-owned newspaper. It would moreover be but a partial relief so long as private-owned newspapers were in the field.

(4) Therefore, it is important to consider methods possible at present. (a) We need new and adequately enforced laws defining strictly the power of newspapers to deal with news, laws analogous to those already in operation in regard to the use of the mails, billboards, etc. Such laws would, as a matter of fact, in many cases be mere formulations of practices already in vogue. Courts, both in the United States and England, have already shown their power to restrain newspapers from, or to punish them for, detailing certain types of antisocial facts.

(b) Judges should recognize in their decisions the facts already known regarding antisocial suggestion.

(c) Public opinion needs to be educated to secure support for constructive legislation along this line and to support such laws as we have or as may be made.

(d) Further investigation of the relation of newspaper suggestion and other suggestion to crime and other antisocial activity should be made, and public officials, such as probation officers, juvenile court judges and other judges, superintendents of institutions, etc., should be encouraged and required to keep records of cases of such connection. In this way a better basis for activity regarding the newspapers could be established.

Another interesting paper on the subject, showing especially the extent to which the space given in the leading and standard newspapers to scandals, crimes, and the like, will be found in an article by John Gilmer Speed, in volume 15 of the Forum, entitled "Do the newspapers give the news?"

In the course of the article the author says:

Suppose we examine representative New York newspapers of 12 years ago and compare them with the same papers of this year. For example, we will take the Sun, the World, Times, and Tribune of Sunday, April 17, 1881, and compare them with the same papers of Sunday, April 16, 1893. I wish to remark here that I selected this date in April merely by chance and not because I was aware of anything in the papers of that day making them at all extraordinary. Indeed, it may be that they were more commonplace than usual, for it happened that the day before there were no "carnivals of crime" or "bloody butcheries" anywhere within telegraphic reach. The Sunday Sun and World of the date given in 1881 were each 8-page, 7-column papers. The Tribune had 12 pages of 6 columns each, and the Times 16 pages of 7 columns each. Men remarked 12 years ago that these were very large papers; but on the corresponding Sunday of 1893 the Tribune was just twice as large, having 24 pages of 6 columns each; the Times had 20 pages with 7 columns each; the Sun had 28 pages of 7 columns each; and the World 44 pages of 8 columns each. This was expansion in earnest. But if the quality of the reading matter had not suffered by this expansion, and if it were not bad before the expansion began, then probably no one has the right to complain.

For the purpose of comparing the various kinds of subjects treated in the papers of the different dates I have made the following table: Columns of reading matter in New York newspapers, Apr. 17, 1881, and Apr. 16, 1893.

Subject.	Tribune, 1881.	Tribune, 1893.	World, 1881.	World, 1893.	Times, 1881.	Times, 1893.	Sun, 1881.	Sun, 1893.
Editorial.....	500	500	475	400	600	500	400	400
Religious.....	200	.....	75	.....	100	.....	50	100
Scientific.....	100	75	.....	200	100	.....	.....	250
Political.....	300	375	.....	1,030	100	400	100	350
Literary.....	1,500	100	100	200	1,800	1,200	575	600
Gossip.....	100	2,300	100	6,350	50	1,675	200	1,300
Scandals.....	.....	150	.....	150	100	250	.....	200
Sporting.....	100	650	250	1,600	300	1,000	70	1,750
Fiction.....	.....	700	150	650	100	150	.....	1,150
Historical.....	250	250	275	400	250	150	425	1,400
Music and drama.....	250	400	150	1,100	400	700	.....	350
Crimes and criminals.....	.....	50	.....	600	.....	100	.....	.....
Art.....	100	100	300	300	200	.....	25	125

The true significance of this table, of course, lies in the percentage relation of the different subjects to the total number of columns printed. Thus while the Times on this particular Sunday in 1881 contained 18 columns of literary matter, or 16 per cent of the total space in the whole paper, the literary matter in the corresponding Sunday of this year is 12 columns, or only 9.6 per cent of the total space. The "gossip" in the Times in 12 years increased from four-tenths of 1 per cent of the total space to eleven and seven-tenths of 1 per cent of the space—that is, from one-half a column it had grown during the 12 years to 16½ columns. The religious matter had dropped from one column in 1881 to nothing in 1893. Scientific matters decreased exactly in the same way; while the scandals, which filled only one column in 1881, now needed two columns and a half to hold them. The sporting news grew from 3 to 10 columns; art criticism dropped from 2 columns to nothing.

In the Sun of 1881, on the particular Sunday alluded to, there were no scandals printed; on the corresponding Sunday of 1893 the scandals filled 2 columns of the paper, or about 1 per cent of the total space, and the gossip increased from 2 to 13 columns. The literary matter in the Sun remained about the same, while more space was given to religious, scientific, and art subjects.

The Tribune in 1881 has 2 columns of religious matter and not a line in 1893. The scandals, however, which were nothing in 1881, had increased to a column and a half, while the gossip had grown from 1 column to 23, and so filled more than 16 per cent of the space of the paper. Sporting, too, grew from 1 column to 6½ columns, while in both years editorial comments and art criticism remained the same.



The World in 1881 had no scandals and only a column of gossip. In 1893 the scandals filled a column and a half and the gossip 6 3/4 columns. The music and drama in the former year required a column and a half, while 11 columns were used in 1893. It is likely that fully 8 of these 11 columns devoted to music and the drama should be credited to gossip. In 1881 the World had no stories of crimes and criminals; in the paper of April 16, 1893, 6 columns were devoted to these subjects.

In an article by Charles Emory Smith, one of the noted newspaper men of the country, in the Independent, defending the newspapers and condemning a libel law passed by the Legislature of Pennsylvania, he has this to say of the objectionable features of present-day journalism:

Freedom of the press undoubtedly degenerates at times into license. We have seen invasions of the sanctity of private life which are wholly deplorable and unjustifiable. We have seen newspapers intrude into the sacred realm of purely domestic concerns and drag out that which should remain behind the veil for sensational effect or the salacious delectation of an eager public. In the fretful race of competition there has probably been too much disposition to regard everything which Argus eyes can detect as the legitimate subject of the remorseless news gatherer. The public are quite as much at fault as the newspapers. This tendency to seize upon personal affairs and to exploit them in picturesque style ministers to a popular taste which is as old as mankind. There ought doubtless to be some reform of newspaper ethics, and the surest path to it would be an anterior reform of human nature itself.

This quotation reveals the excuse for the newspapers that the people want that kind of sensational news. I am coming to that a little further along.

Another excuse, as it relates to the publication of particulars of crimes, is that it is an aid to the detection and conviction of the criminals. That, also, I will come to later.

There are a few, fortunately a very few, who justify the publication of obscene literature, not because it is demanded by the people, but upon the broad ground that it is a right that should not be abridged and is actually beneficial. A book entitled "Obscene Literature and Constitutional Law" is a conspicuous and unworthy example of this kind. It is written by Theodore Schroeder, who gives himself the title of "Legal counselor to the Medico-Legal Society of New York." As the purveyor of obscene and poisonous literature it is one of the worst of its kind. It gives the substance of many of the worst and most obscene books that have been excluded from the mails under the law I have mentioned. I wonder how this book escaped the vigilance of the Post Office Department. In the estimation of the writer of it nothing can be too vile and indecent to publish, if only it claims to be educational, especially if it emanates from the Medico-Legal Society, of which he is counselor. A very fair estimate of the book and the perverted mind of its author may be reached by reading the following passage in the preface:

My numerous smug friends, who pride themselves on their "eminent respectability," often reproach me gently for my extensive advocacy of freedom of speech and press, and of uncensored mails and express. To defend the right of all humans to an opportunity to know all there is to know, even about the subject of sex, to the polluted minds of my "pure" friends, is to defend an "uncleanliness"—not at all unclean so far as it relates to their own bodies, but "unclean" to talk and read about—not "unclean" as to any acts or facts in their own lives, but "unclean" only to admit a consciousness of those facts. I reluctantly confess that all such hypocritical moral cant or diseased sex sensitiveness arouses in me the most profound contempt of which my phlegmatic nature is capable. Perhaps that is one reason why I was impelled to do this uncompensated and unpopular work, and sometimes to do it in a manner that is devoid of tact, according to the judgment of those who dare not countenance robust frankness.

Among other things the author maintains that the constitutionality of the act of Congress, or other similar State statutes, against sending obscene matter through the mails has never been passed upon by the courts, although hundreds of convictions have been affirmed. He takes this broad ground:

The postal laws against "obscene" literature are void under the constitutional prohibition against the abridgment of freedom of speech and of the press. Likewise all similar State legislation is void under State constitutions.

Of course, the prohibition against sending obscene matter through the mails is not a direct provision against the publication of such matter. But it is an abridgment of the freedom of publication by depriving the publisher of the use of the mails as a means of such publication, a right granted to others, and denied to him only because of the objectionable nature of the matter offered by him.

So, Mr. President, the principle involved is precisely the same, whether we forbid the use of the mails to distribute such matter to the public or impose a penalty for the printing and publication of it. In either case, if the freedom of the press gives the constitutional right to publish the poisonous criminally suggestive and deleterious matter that I am condemning, then both the law now on the statute book denying the use of the mails for such publications and the one proposed by me are an abridgment of that right and void as a violation of the Constitution.

It must be obvious that I can not take up the time of the Senate in any lengthy discussion of this constitutional question,

important as I conceive it to be, or with a critical review of the cases bearing upon it. But any discussion of it without reference to some of the leading cases would be incomplete and unsatisfactory. So I hope the Senate will bear with me while I consider a very few of the many decisions of the courts dealing with the question.

In *United States v. Harrison* (45 Fed. Rep., 414) Phillips, Judge, has this to say:

#### THE CONSTITUTIONALITY OF THE ACT OF CONGRESS.

It is next objected that the act of Congress under which this indictment was founded is in contravention of the first amendment of the Federal Constitution, which declares that "Congress shall make no law \* \* \* abridging the freedom of speech or of the press." Counsel has urged this objection with such force and vigor of reasoning as to entitle it to serious consideration under other conditions than those which exist. The constitutionality of the act in question has been affirmed by the court of last resort in the case of *Ex parte Jackson* (96 U. S., 727). It is true the direct question there presented was as to that branch of the statute denying the use of the mails to lottery circulars, etc., but the opinion of the court proceeds on the theory that the provision of the statute respecting lotteries is so closely allied to that declaring obscene literature nonmailable matter that it must rest upon the same principle, and thereupon proceeds to discuss the latter feature of the statute and to uphold its constitutionality. Until overruled this decision must control the action of this court. In view, however, of the fact that the defendant places so much stress along the line of his entire defense on the liberty which should be accorded to the press, it may as well be said here as elsewhere that it is a radical misconception of the scope of the constitutional protection to indulge the belief that a person may print and publish *ad libitum* any matter, whatever the substance or language, without accountability to law. Liberty in all its forms and assertions in this country is regulated by law. It is not an unbridled license. Where vituperation or licentiousness begins the liberty of the press ends. While the genius of our institutions of government accords the largest liberality in the utterance of private opinion and the widest latitude in polemics, touching questions of social ethics, political and domestic economy, and the like, it must ever be kept in mind that this invaluable privilege is not paramount to the golden rule of every civilized society, *sic utere tuo ut non alienum laedas*—"so exercise your own freedom as not to infringe the rights of others or the public peace and safety." (2 Story Const., sec. 1888.) While, happily, we have outlived the epoch of censors and licensors of the press, to whom the publisher must submit his matter in advance, responsibility yet attaches to him when he transcends the boundary line where he outrages the common sense of decency or endangers the public safety. As said by that eminent jurist, Judge Story (Id., secs. 1884-1887):

"There is a good deal of loose reasoning on the subject of the liberty of the press, as if its inviolability were constitutionally such that, like the King of England, it could do no wrong and was free from every inquiry and afforded a perfect sanctuary for every abuse; that, in short, it implied a despotic sovereignty to do every sort of wrong without the slightest accountability to private or public justice. Such a notion is too extravagant to be held by any sound constitutional lawyer with regard to the rights and duties belonging to governments generally or to the State governments in particular. If it were admitted to be correct, it might be justly affirmed that the liberty of the press was incompatible with the permanent existence of any free government \* \* \* In short, is it contended that the liberty of the press is so much more valuable than all other rights in society that the public safety—nay, the existence of the Government itself—is to yield to it? It would be difficult to answer these questions in favor of the liberty of the press without at the same time declaring that such a license belonged and could belong only to a despotism and was utterly incompatible with the principles of a free government."

This is an admirable and concise statement of the law on the subject. Other interesting cases bearing on the question are the following:

*United States v. Bennett* (16 Blatch. U. S. C. C., 338); *State v. Van Wye* (136 Mo., 272); *In re Banks* (56 Kans., 242); *State v. Sykes* (28 Conn., 224); *State v. Faulds* (17 Mont., 140); *State v. Shepherd* (177 Mo., 205); *Riley v. Lee* (88 Ky., 603); *Pavesich v. New England Life Insurance Co.* (122 Ga., 190); *State v. McKee* (73 Conn., 18; 49 Law Rep. An., 542).

The question is discussed and the correct rule laid down in *State v. Van Wye* (136 Mo., 227), in which the court said:

The constitutionality of the act of 1891 already quoted is assailed because it is claimed to be in contravention of section 14 of the bill of rights of Missouri. That familiar section ordains that "No law shall be passed impairing the freedom of speech; that every person shall be free to say, write, or publish whatever he will on any subject, being responsible for all abuse of that liberty; and that in all suits and prosecutions for libel the truth thereof may be given in evidence."

"The liberty of the press," says Lord Mansfield, in *King v. Dean of St. Asaph* (cited in note to 3 T. R., 431), "consists in printing without any previous license, subject to the consequence of the law." Lord Ellenborough defines it in *Rex v. Cobbett* (29 Howell's State Trials, 49), in this way: "The law of England is a law of liberty, and, consistently with this liberty, we have not what is called an *imprimatur*; there is no such preliminary license necessary. But if a man publish a paper, he is exposed to the penal consequences, as he is in every other act, if it be illegal."

Thus understood the provision in our bill of rights was adopted substantially in the constitutions of several States of our American Union and in the Federal Constitution. Says Judge Cooley: "It must be evident from these historical facts that liberty of the press, as now understood and enjoyed, is of very recent origin; and commentators seem to be agreed in the opinion that the term itself means only that liberty of publication without the previous permission of the Government, which was obtained by the abolition of the censorship." (Cooley on Constitutional Limitations (6 Ed.), p. 516; Hallam's Const. History of England, ch. 15; De Lolme's Const. of England, 254; 4 Blackstone's Com. 151; Story on Const., sec. 1889; 2 Kent., 17, et seq.; Rawle, Constitution, ch. 10.)



The constitutional liberty of speech and of the press, as we understand it, simply guarantees the right to freely utter and publish whatever the citizens may desire and to be protected in so doing, provided always that such publications are not blasphemous, obscene, and scandalous in their character so that they become an offense against the public, and by their malice and falsehood injuriously affect the character, reputation, or pecuniary interests of individuals. The constitutional protection shields no one from responsibility for abuse of this right. To hold that it did would be a cruel libel upon the bill of rights itself. The laws punishing criminal libel have never been deemed an infringement of this constitutional guaranty. Equally numerous and strong are the decisions that obscene publications are without the protection of this provision of our constitution.

Another concise statement of the law on the subject may be found in *In re Banks* (56 Kans., 242), as follows:

It is contended that said chapter 161 is void, because in contravention of section 11 of the bill of rights, which reads:

"The liberty of the press shall be inviolate; and all persons may freely speak, write, or publish their sentiments on all subjects, being responsible for the abuse of such right; and in all civil or criminal actions for libel the truth may be given in evidence to the jury, and if it shall appear that the alleged libelous matter was published for justifiable ends the accused party shall be acquitted."

The act under consideration was not passed to prevent the publication of libels nor to suppress papers indulging in such publications, but to prevent the publication and sale of newspapers especially devoted to the publication of scandals and accounts of lecherous and immoral conduct. Without doubt, a newspaper the most prominent feature of which is items detailing the immoral conduct of individuals, spreading out to public view an unsavory mass of corruption and moral degradation, is calculated to taint the social atmosphere, and by describing in detail the means resorted to by immoral persons to gratify their propensities tends especially to corrupt the morals of the young, and lead them into vicious paths and immoral acts. We entertain no doubt that the legislature has power to suppress this class of publications without in any manner violating the constitutional liberties of the press.

What is meant by "liberty of the press" and the extent to which the lawmaking power may go in preventing objectionable matter from being published are very well stated in the opinion of the court in *State v. McKee* (73 Conn., 18), in the following language:

The primary meaning of "liberty of the press," as understood at the time our early constitutions were framed, was freedom from any censorship of the press; from "all such previous restraints upon publications as had been practiced by other Governments and in early times here to stifle the efforts of patriots toward enlightening their fellow subjects upon their rights and the duties of rulers." (Commonwealth v. Blanding, 3 Pick., 304, 313.) But this fundamental guaranty goes further; it recognizes the free expression of opinion on matters of church or state as essential to the successful operation of free government, and it also recognizes the free expression of opinion on any subject as essential to a condition of civil liberty. The right to discuss public matters stands in part on the necessity of that right to the operation of a government by the people; but, with this exception, the right of every citizen to freely express his sentiments on all subjects stands on the broad principle which supports the equal right of all to exercise gifts of property and faculty in any pursuit in life—in other words, upon the essential principles of civil liberty as recognized by our Constitution. Every citizen has an equal right to use his mental endowments as well as his property in any harmless occupation or manner, but he has no right to use them so as to injure his fellow citizens or to endanger the vital interests of society. Immunity in the mischievous use is as inconsistent with civil liberty as prohibition of the harmless use. Both arise from the equal right of all to protection of law in the enjoyment of individual freedom of action, which is the ultimate fundamental principle. This truth is plainly expressed in the language of section 3 and of section 5. The liberty protected is not the right to perpetrate acts of licentiousness or any act inconsistent with the peace or safety of the State. Freedom of speech and press does not include the abuse of the power of tongue or pen any more than freedom of other action includes an injurious use of one's occupation, business, or property.

The notion that the broad guaranty of the common right to free speech and free thought contained in our Constitution is intended to erect a bulwark or supply a place of refuge in behalf of the violators of laws enacted for the protection of society from the contagion of moral diseases belittles the conception of the constitutional safeguards and implies ignorance of the essentials of civil liberty.

Mr. President, no discussion of this question would be complete without some reference to the kodak and the cartoon. They have become a part—and a very important part—of the facilities of the modern newspaper in its effort to instruct, inform, and please the reading public.

They have their valuable uses and are not to be condemned or despised except for their excesses and abuses. The kodak often furnishes in picture form a much clearer understanding of conditions than can be done by written description. The cartoon has been a powerful instrument in exposing wrongdoing by bringing the wrongdoer to the attention of the public and holding him there. Besides, both of these newspaper adjuncts furnish harmless entertainment and pleasure to many newspaper readers.

But, Mr. President, no part of the work of a newspaper can be or has been more grossly unfair, obtrusive, and objectionable in many ways than the operation of the kodak and cartoon. The newspaper reporter forces himself into the privacy of the home and the affairs of men and mercilessly exposes them to the world without reason, in violation of the right of privacy on the part of the citizen and often in opposition to the plainest rules of decency and common respect for the feelings of others.

The kodak man follows in the wake of the reporter and, in open violation of the same rules, snaps the pictures of the persons, homes, and places of business of all persons connected with the particular matter that is to be worked up into a sensational story for public reading. Then comes the cartoonist with distorted pictures intended to ridicule, humiliate, and disgrace the individual that the newspaper has undertaken to dissect. It is a combination that has more of inhuman brutality about it than almost any other power of the present day. It has brought discord, unhappiness, and ruin to many households, driven thousands of innocent people to despair, sometimes to death by their own hands, led many to crime, others to disgrace and sorrow, degraded the minds of the millions of newspaper readers, lowered the standard of citizenship, convicted hundreds of innocent men and women of crimes of which they were not guilty, and stultified and disgraced the newspapers that have indulged in such practices.

But, Mr. President, this is not to say that the newspaper or the kodak or the cartoon should be suppressed. I have only been pointing out their abuses, all of which should be corrected to make them useful and valuable instruments in the hands of men for the education, instruction, and edification of their fellow men. It is the wrongful use of all of these that I complain of. The caricatures of men in public and private life for malicious, selfish, or other ulterior purposes so frequently resorted to by the newspapers through the cartoonists are inexcusable and a disgrace to the papers and their publishers. It is beneath the dignity and in violation of the obligations of the true journalist. The unblushing effrontery of some of the kodak men in intruding themselves into the privacy of others and in displaying to the world the most sacred things is sometimes shocking, even revolting, in the extreme.

Within a very short time, I, in company with other Members of this body, was in attendance at the funeral of a distinguished officer of the Government, and a man who was held in the highest esteem by all who knew him and in peculiarly sincere and warm affection by his relatives and friends. It was an occasion of great solemnity and an exhibition of unusual respect and affection for the distinguished dead. It was marred by the persistent and unseemly efforts of a number of kodak men to secure pictures of what was being done and of the people present. As the body was removed from the church, followed by the mourning family and others, these men were swarming like ghouls, snapping pictures here and there, some of them perched on the steps and other higher projections of the church, wherever they could gain a footing, plying their trade over the heads of the crowds of people who were there to do honor to the memory of their friend and fellow citizen. To me it was a shocking and humiliating spectacle that I shall not soon forget. This, Mr. President, is one of the striking cases of the abuse of this very proper means of supplying information to the public. Unfortunately, it is only one of many that have gone far to discredit this legitimate calling and give the men engaged in it the unenviable title of "kodak fiends."

The abuses on the part of the cartoonists are much the same. To my mind, one of their worst offenses is the treatment of the President of the United States. Whoever he may be, and whatever his personality, the office itself should be respected and protect its occupant from such caricatures of him as are altogether too common. I often wonder what other countries must think of a people who will allow their Chief Magistrate to be subjected to such treatment.

Mr. President, there is another agency for the distribution of news that should not be overlooked in the consideration of this question. The Associated Press sends out broadcast over the whole country such news as should never see the light of day. Indeed, it seems to select such items as are most sensational and least important or useful. If a Member of this body addresses the Senate and discusses serious and important questions that the country should know about, but in connection with it attacks or criticizes anyone else, or says anything that is regarded as sensational, it is the latter and not the former that is selected and telegraphed out. This gatherer and distributor of the news rarely misses anything of the sensational kind in its work. Its accounts of crimes, suicides, accidents, divorce proceedings, and other matters of no importance and which should never be published, crowd the telegraph wires to the exclusion of legitimate and useful news.

Doubtless the excuse for this is that it is that kind of news that its newspaper patrons want and therefore it must be furnished. In turn the newspaper publishers justify themselves by saying it is the kind of news that their readers want. Perhaps the newspaper side of it can be better stated by the *New York World*, one of the great metropolitan journals of the coun-



try. On the 27th day of December, 1912, that paper carried this editorial:

Our sober-minded contemporary, the Wall Street Journal, is distressed at the World's misguided methods of presenting to its readers the news of the day:

"It is apparent, even to a casual reader, that the aim of the World—and the case of other journals is not far removed—is to present the 'news' to its readers in a highly sensational aspect. Take, for example, and just as a chance selection, the headlines of December 13, flaring, wild, extravagant. We are told in large capital letters that the 'Police are scared by woman's expose of graft on vice'; that 'Luring husband away, wife tries to kill woman'; that 'Stock Exchange winks at all manipulations'; that 'Daughter is in a plot, her father says,' and so on *ad nauseum*. All of which may be true, but where is the tremendous import of it all?"

"The World brazenly admits the soft impeachment and rises to explain its misconduct. 'The tremendous import of it all' is that the vast majority of perfectly wholesome and normally intelligent men and women are a great deal more interested in the flesh-and-blood doings, springing from flesh-and-blood motives of flesh-and-blood human beings than they are in theories of economics, problems of governments, perplexities of diplomacy, or complexities of banking and currency."

No sane man doubts that the latter class of questions is of infinitely greater importance than the former class of stories. And yet, the fact remains that out of one thousand people nine hundred and ninety-nine are infinitely more interested in the woman who tried to kill the other woman than they are in the rival merits of the Aldrich and Fowler currency measures. And as long as the vast majority of perfectly worthy people prefer to read about the dramatic, the mysterious, the romantic, the comic, the tragic in human affairs, rather than the important, the World is not in the least ashamed of giving them what they want to read as fully and as prominently as it gives them what they ought to read. The World tries to balance the two types of news, avoiding an appeal to morbidity on the one hand and an appeal to intellectual priggishness on the other. We regret that our poor effort in this direction is unsatisfactory to our fastidious contemporary. All we can say is that we are doing our modest best, according to our humble lights."

Mr. President, either this is a serious libel on the vast majority of "perfectly wholesome and normally intelligent men and women" of America or we need to elevate the standard of "normal intelligence." I prefer to believe that the World is mistaken in its estimate of its own readers. I am afraid that great journal is mistakenly catering to and increasing the numbers of its unintelligent and abnormal readers. That this is just what many newspapers are doing is made clear by the following extract from an article by Edward Alsworth Ross in volume 105 of the *Atlantic Monthly*, entitled "The suppression of important news":

Most of the criticism launched at our daily newspapers hits the wrong party. Granted they sensationalize vice and crime, "play up" trivialities, exploit the private affairs of prominent people, embroider facts, and offend good taste with screech, blare, and color. But all this may be only the means of meeting the demand, of "giving the public what it wants." The newspaper can not be expected to remain dignified and serious now that it caters to the common millions instead of, as formerly, to the professional and business classes. To interest errand boy and factory girl and raw immigrant it had to become spicy, amusing, emotional, and chromatic. For these blame, then, the American people."

So, according to this learned gentleman, this kind of news is published for the edification of the "errand boy, factory girl, and raw immigrant." This certainly makes one feel more comfortable. It is not the intelligent reader, seeking information, that wants such news, but the ignorant and more often disreputable and criminal class that want to be fed on the details of crime, immorality, accidents, and sensational news of all kinds. If so, it is certainly not creditable to American journalism.

There is still another excuse offered for the publication of the details of crimes. It is maintained that it is a means of detecting and preventing crime. I do not believe either of these claims. I have no doubt that more innocent men have been convicted of crime by this sort of journalism than the number of guilty ones who have been convicted of their crimes by such methods. It has more frequently than not been an embarrassment to officers whose duty it is to detect criminals and bring them to justice. It often conflicts with the courts in their efforts to enforce the law, and in every respect is a hindrance rather than a help to the authorities in the attempt to bring the perpetrators of crime to justice. In an article in the seventeenth volume of the *Green Bag*, by Clarence Bishop Smith, entitled "Newspapers and the jury," the writer has this to say on the subject:

It needs no argument to prove that the newspaper is an unqualified evil, in so far as it affects the trial of crime. Since the abolition of public executions it has been the policy of the law to hide all sensational details connected with the punishment of criminals. The object of most newspapers is just the reverse of this. By picturesque methods they seek to make their readers see every incident from the conception of the crime in the brain of the man on trial down to the jury's verdict and the crime's punishment, if there be punishment. Consequently the newspapers must always come in conflict with the courts. They are, however, here to stay and we must meet the situation. We can not curb the freedom of the press or prevent the public from reading accounts of crime which ought not to be published, but we should recognize these various dangers arising from changing social conditions and study to minimize them. While the influence of the newspaper is subtle, it is very strong and may easily impair our trial system almost without our knowing it. For this reason the subject deserves the consideration of the bench and bar."

But, Mr. President, besides the fact that this excuse is not well founded it is not sincere, if we judge by the course of the newspapers themselves. They do not publish such news only where the criminal is unknown or undetected; they publish it indiscriminately, whether the perpetrator of the crime is known or unknown. We have had conspicuous proof of this very recently. On last Christmas eve, here in Washington, the Capital of this Nation, a good woman was brutally outraged. Her assailant was detected and arrested on the spot. There was no call for the publication of the details of this revolting crime. There was every reason why they should have been suppressed. No one could be benefited by their publication. They were calculated to arouse the most dangerous of passions in the minds of the ignorant and criminal classes. No respectable person would desire to read them. A just consideration for the feelings of the poor woman who had been so humiliated by being made the victim of such a crime should have stayed the pen of the man who wrote the story. But assuming, I suppose, that it was the kind of news that their readers wanted, the papers published the sickening details of it, filling columns of space. The relations and antecedents of the parties were ferreted out and made public; the description of the crime in all its details was published and the nauseous details of the condition of the clothing of the participants, the bloodstains and the like, were wound into the threads of this disgusting and sensational story. Was there any excuse for it? None whatever. The very publication of it disproved the sincerity of the claims made in justification of such journalism. If it be true that a majority of the readers of the papers that published this so-called news wanted that kind of news, it should be the highest aim and purpose of the right kind of newspapers to withhold it from its morbid and unwholesome readers, not only in their interest and in the interest of its more wholesome-minded readers, who do not want it, but in justice to itself.

Mr. President, there is another and more pleasing side to this important question. I have pointed out as best I could the evils of bad and unwholesome journalism. Surely they are serious enough to challenge the attention of all normal and wholesome-minded people. But the newspaper will continue to exist. Rightly conducted it is a great educator. Its facilities for spreading and disseminating news good or bad and sentiments pure and impure exceed all other means of reaching the public. A well-conducted newspaper, containing useful and educational news truthfully told, is a powerful instrument for the spread of information and the education of the public mind. Such newspapers, once the reliability of their news and the purity of their character are established, are most powerful influences for good in any community. Individual character and public sentiment are elevated and purified by such journalism. Disbelief in and suspicion of present-day journalism have become proverbial.

If newspapers tell the truth, it is not believed, because of the almost if not quite universal distrust of them, born of their general unreliability. The journalists who have brought the newspaper to this discreditable pass have much to answer for. What a splendid work they might have done for humanity by making the newspaper a truthful index of current events and useful knowledge, the vehicle for pure and lofty sentiments, and the prosecutor of evil and the defender of good. There are newspapers that are earnestly striving to reach such a standard of true and useful journalism. They are doing a wonderful work. They are, to some extent, leavening the lump of coarse and unreliable journalism and helping to educate the public mind to a just appreciation of a real newspaper. The opportunity of such a newspaper as an educator of the public mind is boundless, but it is an opportunity that has been sadly neglected in the effort to make money and the seeming desire to pander to the lowest and most vicious instincts of humanity.

Mr. President, the bill I have introduced will probably never become a law. The cry will be raised that it is an effort to muzzle the press and censor the news, and this is usually all powerful when it is raised for the protection of the newspapers, although other purveyors of information, through the moving pictures and otherwise, appeal to it in vain. This is a discrimination in favor of the newspaper that finds no justification in law or justice. It has been my main purpose to call the attention of the country to one of the greatest, most powerful, and most corrupting evils and influences of the present age. It is an evil which I admit can not be overcome by law. It must be met by a better and purer public sentiment that will demand cleaner and more reliable journalism. This better and more exalted sentiment may and probably will find expression in legislative enactments in the several States from time to time as the sentiment grows, as it surely must if our civilization, moral purity, and civic righteousness are to be maintained. Federal

legislation on the subject must of necessity be limited in its scope and effect. It would mean more as an example and as a national expression of condemnation of corrupt and unreliable and approval of clean journalism and a powerful stimulant of a better and more exalted public sentiment on the subject than as a practicable, enforceable penal or restrictive law. Let us hope, Mr. President, that public sentiment will soon so improve that restrictive laws will not be needed.

Mr. President, I have endeavored to present this important question with entire frankness and with malice toward none and charity for all newspapers. If it be true that the intelligent people demand impure and deleterious news, as some of the newspapers declare, conditions will inevitably grow worse and worse unless their mental food is changed. A depraved appetite grows on what it feeds upon. Such news increases the morbid desire for the sensational, the impure, and the horrible. Intelligent men and women cleanse their bodies, but fill their minds with impurities far more dangerous and degrading than an unwashed body. A pure mind makes a wholesome and healthy body. Purity of thought and conscience on the part of the people as a whole will make this country great and prosperous in the truest sense. The man who helps to make the public mind impure, whether he be a journalist or not, is a dangerous man and an enemy to the best interests of his country.

#### EXECUTIVE SESSION.

Mr. BACON. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 20 minutes spent in executive session the doors were reopened, and (at 3 o'clock and 40 minutes p. m.) the Senate adjourned until Monday, April 21, 1913, at 12 o'clock meridian.

#### NOMINATIONS.

*Executive nominations received by the Senate April 17, 1913.*

##### DIRECTOR OF THE CENSUS.

William J. Harris, of Georgia, to be Director of the Census in the Department of Commerce, vice E. Dana Durand.

##### GENERAL APPRAISER OF MERCHANDISE.

Jerry B. Sullivan, of Iowa, to be general appraiser of merchandise, to fill an existing vacancy.

##### APPRAISER OF MERCHANDISE.

William W. Roper, of Pennsylvania, to be appraiser of merchandise in the district of Philadelphia, in the State of Pennsylvania, in place of Fred P. Vincent, resigned.

##### AUDITOR FOR THE INTERIOR DEPARTMENT.

Robert W. Woolley, of Virginia, to be Auditor for the Interior Department, in place of Howard C. Shober, resigned.

##### COLLECTOR OF INTERNAL REVENUE.

Herbert H. Manson, of Wisconsin, to be collector of internal revenue for the second district of Wisconsin, in place of Frank L. Gilbert, superseded.

##### FISCAL AGENTS OF THE NAVY DEPARTMENT.

The Right Hon. Sir Edgar Speyer, Bart., P. C., and the Messrs. Henry Oppenheimer, Henry William Brown, Henry Gordon Leith, James Speyer, and Eduard Beit von Speyer, trading under the name, style, and firm of Speyer Bros., at London, England, to be special fiscal agents of the Navy Department at that place.

##### JUDGE OF THE DISTRICT COURT.

Robert W. Jennings, of Alaska, to be judge of the district court of the District of Alaska, to be assigned to Division No. 1, vice Thomas R. Lyons, whose term will expire at the close of May 3, 1913.

##### UNITED STATES ATTORNEY.

Clarence L. Reames, of Oregon, to be United States attorney for the district of Oregon, vice John McCourt, resigned.

##### UNITED STATES MARSHAL.

Benjamin F. Sherrell, of Texas, to be United States marshal for the eastern district of Texas, vice Phil E. Baer, recess appointee, resigned.

##### RECORDER OF THE GENERAL LAND OFFICE.

Lucius Q. C. Lamar, of Mississippi, to be recorder of the General Land Office, vice Henry W. Sanford, to be transferred.

##### REGISTERS OF THE LAND OFFICE.

Frank O. Williams, of Kalispell, Mont., to be register of the land office at Kalispell, vice Andrew W. Swaney, term expired.

Francisco Delgado, of Santa Fe, N. Mex., to be register of the land office at Santa Fe, vice Manuel R. Otero, resigned.

##### RECEIVER OF PUBLIC MONEYS.

Luke Voorhees, of Cheyenne, Wyo., to be receiver of public moneys at Cheyenne, vice William C. Deming, resigned.

##### ASSISTANT SECRETARY OF WAR.

Henry S. Breckenridge, of Kentucky, to be Assistant Secretary of War, vice Robert Shaw Oliver, resigned.

##### ASSISTANT ATTORNEY GENERAL.

Samuel Houston Thompson, jr., of Colorado, to be Assistant Attorney General, vice John Q. Thompson, deceased.

##### PROMOTIONS IN THE ARMY.

###### INFANTRY ARM.

Second Lieut. Henry H. Arnold, Twenty-ninth Infantry, to be first lieutenant from April 10, 1913, vice First Lieut. Leighton Powell, Thirteenth Infantry, retired from active service April 9, 1913.

###### MEDICAL CORPS.

Lieut. Col. Charles M. Gandy, Medical Corps, to be colonel from April 16, 1913, vice Col. Louis A. LaGarde, retired from active service April 15, 1913.

Maj. Frederick P. Reynolds, Medical Corps, to be lieutenant colonel from April 16, 1913, vice Lieut. Col. Charles M. Gandy, promoted.

Capt. James M. Phalen, Medical Corps, to be major from April 16, 1913, vice Maj. Frederick P. Reynolds, promoted.

##### APPOINTMENT IN THE ARMY.

###### CORPS OF ENGINEERS.

Probational, Second Lieut. Wistar Morris Chubb, Corps of Engineers, to be second lieutenant in the Corps of Engineers with rank from April 23, 1912, the date of his original appointment. (The incumbent's probational appointment will expire with April 22, 1913.)

##### CONFIRMATIONS.

*Executive nominations confirmed by the Senate April 17, 1913.*

##### APPOINTMENTS IN THE ARMY.

###### GENERAL OFFICER.

Col. Hugh L. Scott to be brigadier general.

###### TO BE SECOND LIEUTENANTS.

###### Cavalry Arm.

Harold Melville Clark.  
Clarence Ferdinand Ellefson.  
Harold Thompson.  
Richard Bronaugh Barnitz.  
Raymond Morris.

###### Field Artillery Arm.

Howard Eager.

###### Infantry Arm.

John Charles Palmer Bartholf.  
James Perry Cole.  
Robert Harwood Barrett.  
Ernest Joseph Carr.  
Patrick James Hurley.  
Colin Kingsley Lee.  
Donald Robert McMillen.  
Hugh Broadus Keen.  
Ora Mathias Baldinger.

##### PROMOTIONS IN THE ARMY.

###### SIGNAL CORPS.

Maj. George O. Squier to be lieutenant colonel.  
Capt. Walter L. Clarke to be major.

###### CAVALRY ARM.

Capt. Lawrence J. Fleming to be major.  
First Lieut. William E. W. McKinlay to be captain.  
First Lieut. Gordon Johnston to be captain.  
Second Lieut. Verne R. Bell to be first lieutenant.  
Second Lieut. Henry W. Baird to be first lieutenant.

###### FIELD ARTILLERY ARM.

Lieut. Col. Lucien G. Berry to be colonel.  
Maj. William Lassiter to be lieutenant colonel.  
Capt. Manus McCloskey to be major.

###### COAST ARTILLERY CORPS.

Capt. Albert G. Jenkins to be major.



## INFANTRY ARM.

Lieut. Col. John S. Parke to be colonel.  
 Capt. Lewis S. Sorley to be major.  
 Capt. William M. Morrow to be major.  
 First Lieut. Ward Dabney to be captain.  
 First Lieut. Paul M. Goodrich to be captain.  
 First Lieut. Frank H. Kalde to be captain.  
 First Lieut. William W. Taylor, jr., to be captain.  
 Second Lieut. Charles L. Wyman to be first lieutenant.  
 Second Lieut. Edward H. Teall to be first lieutenant.  
 Second Lieut. John W. Lang to be first lieutenant.  
 Second Lieut. George T. Everett to be first lieutenant.

## HOUSE OF REPRESENTATIVES.

THURSDAY, April 17, 1913.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Throw Thy loving arms, O God our Father, round about us, that we may be strong and pure, noble and brave, that the things which make for the universal and eternal values of life, fatherhood, brotherhood, may weave themselves into the tissues of the soul so that when the storms of adversity beat upon us, disappointments come thick and fast, sorrows encompass like clouds, and grief pours itself out like rain upon our face, we may be strong in Thee after the similitude of the Master. Amen.

The Journal of the proceedings of Monday, April 14, was read and approved.

## SWEARING IN OF MEMBERS.

The SPEAKER. There are certain Members present who desire to be sworn in. They will present themselves, and the oath of office will be administered to them.

Mr. HUGHES of West Virginia, Mr. GUERNSEY, Mr. HAUGEN, and Mr. BARNHART appeared at the bar of the House and took the oath of office.

Mr. BEALL of Texas. Mr. Speaker, the appointment of Mr. Burleson to the Cabinet created a vacancy in the tenth district of Texas, which has just been filled by the election of J. P. BUCHANAN. His certificate of election has not yet arrived, but there is no contest, and I ask unanimous consent that he may be permitted to take the oath of office.

Mr. MANN. Reserving the right to object, my recollection is that under the law of Texas there has to be 30 or 40 days after the election before the result is canvassed; but in this case there is no question, there having been only one candidate.

Mr. BEALL of Texas. There were two candidates, but there is no question about the election, as Mr. BUCHANAN had a majority of over 3,000. He has a letter from his opposing candidate making no objection.

The SPEAKER. Without objection, the Member will be sworn in.

Mr. BUCHANAN appeared at the bar of the House and took the oath of office.

## MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States, was communicated to the House of Representatives by Mr. Latta, one of his secretaries.

## THE SPEAKER'S LOBBY.

The SPEAKER. The Chair desires to make a statement to the House which he has been requested to make. Members now have no desks, and once in a while they want to write a letter. The Doorkeeper has provided tables in the Speaker's lobby, with pens, paper, ink, and so forth, and he requests that Members deposit their hats and coats in the cloakroom instead of in the lobby, so that Members can there avail themselves of the facilities for writing letters.

## THE COMMITTEE ON RULES.

Mr. HENRY. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. Is it a privileged resolution?

Mr. HENRY. It is not.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 48.

Resolved, That the Committee on Rules be authorized to have such printing and binding done as may be required in the transaction of its business.

The SPEAKER. Is there objection to the consideration of the resolution?

There was no objection.

The resolution was agreed to.

## LEAVE OF ABSENCE.

Mr. STEDMAN, by unanimous consent, was given leave of absence for 10 days, on account of illness in his family.

## THE WATERS OF THE NIAGARA RIVER.

Mr. CLINE. Mr. Speaker, the bill H. R. 2498 was referred to the Committee on Interstate and Foreign Commerce. The bill was drawn for the purpose of carrying out the law contemplated in the treaty between Canada and the United States for the fixing of the international boundary line. Several bills have been referred to the Committee on Foreign Affairs, and I think this ought to be so referred.

The SPEAKER. Is there objection?

Mr. ADAMSON and Mr. MANN reserved the right to object.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 2498) for the control and regulation of the waters of the Niagara River above the Falls of Niagara, and for other purposes.

Mr. ADAMSON. What is the request?

The SPEAKER. To change the reference to the Committee on Foreign Affairs from the gentleman's committee, the Committee on Interstate and Foreign Commerce, of which the gentleman was chairman, and of which, I presume, he will again be the chairman. [Laughter.]

Mr. MANN. I would like to ask the gentleman from Indiana if this is substantially the same bill that was reported from the Committee on Foreign Affairs in the last House?

Mr. CLINE. It is the same bill, and I reintroduced it. It was perfected after a year's hearing in the Committee on Foreign Affairs.

Mr. ADAMSON. As it appears that the Committee on Foreign Affairs has been dealing with these bills heretofore, I shall not object.

The SPEAKER. That is the committee to which it ought to go. There are some bills which may be referred to two or three committees; but inasmuch as the clerks had 3,000 bills to refer in one night, it is not strange that they may have got two or three erroneously referred. Without objection, the change of reference will be made.

There was no objection.

## MILEAGE OF MEMBERS, ETC.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill making appropriations for certain expenses incident to the first session of the Sixty-third Congress, and for other purposes.

Mr. MANN. Mr. Speaker, reserving the right to object, I would inquire of the gentleman if this bill has yet been introduced?

Mr. FITZGERALD. Does the gentleman mean through the basket?

Mr. MANN. I mean prior to to-day?

Mr. FITZGERALD. No; it has not.

The SPEAKER. This bill carries a mileage of the Members. If any gentleman desires the rule enforced, the Chair is ready to enforce it now.

Mr. MANN. Mr. Speaker, while I recognize the situation, that the Committee on Appropriations has not yet been appointed and can not report a bill of this sort as a privileged matter, it does not seem to me that the House ought to commence passing appropriation bills, covering six pages, containing a good many items, until the bills have been printed, at least, so that Members may have an opportunity to see them.

Mr. FITZGERALD. Mr. Speaker, the bill is in print. It is available, and it is very simple. If read by the gentleman, he would understand it thoroughly. There is nothing new or startling in it.

Mr. MANN. About 20 minutes ago I obtained a copy of the bill through the courtesy of a member of the former Committee on Appropriations. I have not yet had an opportunity to scan it very carefully. There are several items in it that I think we ought to have an opportunity to see; and while I appreciate the desire of some gentlemen in reference to a particular item in the bill, yet I do not think it ought to come up in this way.

Mr. FITZGERALD. I have less interest in it than any other Member in the House. I am simply endeavoring to accommodate the public business.